

OFFICE OF THE SUPERVISOR

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

**Town of Somers**

WESTCHESTER COUNTY, N.Y.

SOMERS TOWN HOUSE  
335 ROUTE 202  
SOMERS, NY 10589

ROBERT SCORRANO  
SUPERVISOR



**SOMERS TOWN BOARD  
REGULAR MEETING - 7:00pm  
THURSDAY, MAY 11, 2023  
[www.somersny.com](http://www.somersny.com)**

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

7:00pm Regular Meeting

***II. ROLL CALL:***

***III. PUBLIC HEARINGS:***

1. Proposed Local Law to amend Chapter 158 entitled Vehicles & Traffic of the Town of Somers

**PUBLIC COMMENT**

Please limit your comments to no more than 3 minutes.

- IV. APPROVAL OF MINUTES:*** December 8, 2022 Work Session, December 15, 2022 Regular Meeting, December 28, 2022 Special Meeting, January 5, 2023 Organizational Meeting, January 5, 2023 Work Session, January 12, 2023 Regular Meeting, February 2, 2023 Work Session, February 9, 2023 Public Hearings, February 9, 2023 Regular Meeting

**SOMERS TOWN BOARD**  
**REGULAR MEETING - 7:00pm**  
**THURSDAY, MAY 11, 2023**  
**www.somersny.com**

---

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

**VI. BUSINESS OF THE BOARD:**

**A. TOWN BOARD:**

1. Town of Somers – Update
2. National Preservation Month – Grace Zimmerman - Somers Historical Society
3. Authorize the Supervisor to sign the renewal contract for the Town’s dental insurance with Guardian for the period of April 1, 2023 through March 31, 2024, per referral from Robert Kehoe, Director of Finance.
4. Authorize the Supervisor to execute The Stormwater Facility Maintenance Agreement with S.M.P. Homes, Inc./Michael Panny, Tax Map 37.15-1-22.2 per memo dated May 5, 2023 from Steven Woelfle, Engineering Department.

**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 (1- 2-year term ending 7/11/2023.)
  - b. Affordable Housing Board (1- 2-year term ending 7/11/2024.)
  - c. Partners in Prevention (1- 3-year term ending 12/31/2023.)
  - d. Partners in Prevention (2- 3-year terms ending 12/31/2025.)
2. **Upcoming Vacancies - Terms Expiring in 2023:**
  - a. Affordable Housing Board (2- 2-year term ending 7/11/2023.)

**SOMERS TOWN BOARD  
REGULAR MEETING - 7:00pm  
THURSDAY, MAY 11, 2023  
[www.somersny.com](http://www.somersny.com)**

---

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

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

***H.     CONSENSUS AGENDA:***

1. Accept the following Bond per April 28, 2023 memo from Steve Woelfle, Engineering Department:
  - a. \$1,500.00 Performance/Maintenance Bond  
North County Homes, 94 Warren Street/Smith Lane  
TM: 6.14-1-47
2. Authorize the return of the following Bond per May 1, 2023 memo from Steven Woelfle, Engineering Department:
  - a. \$450.00 Erosion Control Bond  
The Paramount at Somers Site Plan, TM: 28.17-1-19.1
3. Authorize the Supervisor to execute:
  - b. The March 9, 2022 – March 9, 2023 MS4 Report
  - c. The Professional Services Proposal for Installation of Route 202 Crosswalk from Colliers Engineering & Design in the amount of \$20,800 per memo dated April 27, 2023 from Steven Woelfle, Engineering Department.
4. Declare May, 2023 as National Historic Preservation Month in the Town of Somers.

**SOMERS TOWN BOARD**  
**REGULAR MEETING - 7:00pm**  
**THURSDAY, MAY 11, 2023**  
**[www.somersny.com](http://www.somersny.com)**

---

**2023 Calendar**

May 11, 2023	7:00pm	Town Board Regular Meeting <b>Public Hearing:</b> Proposed Local Law to amend Chapter 158 entitled <u>Vehicles &amp; Traffic</u> of the Town of Somers.
June 1, 2023	7:00pm	Town Board Work Session
June 8, 2023	7:00pm	Town Board Regular Meeting
July 13, 2023	7:00pm	Town Board Work Session/Regular Meeting
August 10, 2023	7:00pm	Town Board Work Session/Regular Meeting

5/9/2023 11:42 AM

SomersNY-Supervisor - Documents\kdelucia\TB Agendas\2023\May 11 2023 Regular Meeting.docx

Sent to:  
TB, TA, TC  
5/9/2023  
KB

## PUBLIC HEARING NOTICE

PLEASE TAKE NOTICE that the Town of Somers will conduct a public hearing on May 11, 2023 at 7:00 p.m. at the Town House, 335 Route 202, Somers, New York on a proposed Local Law to amend Chapter 158 entitled Vehicles & Traffic of the Town of Somers as follows:

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

1. Article V entitled Stop and Yield Intersections Section 158-19 Stop Intersections Designated is hereby amended to add the following:

SSS. Pursuant to Section 1660 Subdivision 1 of the Vehicle and Traffic Law, Stop Signs shall be installed at the following locations:

1. A three way stop sign shall be installed at the intersection of Lakeview Drive and Cypress Lane.
2. A stop sign shall be installed at the Northwest Corner of Bridge Lane at its curve with the westerly Bridge Lane dead end.

All persons having an interest in the proposed local law are invited to attend the public hearing and will be afforded an opportunity to be heard. A copy of the proposed local law will be available upon request.

By Order of the Town Board  
of the Town of Somers

Patricia Kalba  
Town Clerk

Dated: April 27, 2023

**LOCAL LAW**  
**TOWN OF SOMERS**

Local Law No. \_\_\_\_ for the Year 2023

A Local Law to amend the Code of the Town of Somers by amending Chapter 158 entitled Vehicles and Traffic.

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

1. Article V entitled Stop and Yield Intersections Section 158-19 Stop Intersections Designated is hereby amended to add the following:

SSS. Pursuant to Section 1660 Subdivision 1 of the Vehicle and Traffic Law, Stop Signs shall be installed at the following locations:

1. A three way stop sign shall be installed at the intersection of Lakeview Drive and Cypress Lane.
2. A stop sign shall be installed at the Northwest Corner of Bridge Lane at its curve with the westerly Bridge Lane dead end.
3. Effective Date: This Local Law shall be effective immediately upon filing of same with the Secretary of State of the State of New York.

Sent to:  
TB, TA, TC  
5/11/23  
KD

## DECEMBER 8, 2022 – WORK SESSION

Minutes of a work session of the Town Board of the Town of Somers held on Thursday evening December 8, 2022 at 6:00 PM at the Town House, 335 Route 202, Somers, New York.

### ROLL CALL:

PRESENT:	Supervisor	Robert Scorrano
	Councilman	Richard G. Clinchy
	Councilman	Thomas A. Garrity, Jr.
	Councilman	Anthony J. Ciriaco
	Councilman	William G. Faulkner

### ABSENT:

Also present were Patricia Kalba, Town Clerk and Roland A. Baroni, Jr., Town Attorney.

The Supervisor said that it was in order for the Board to enter into an executive session with regard to personnel and contracts.

Thereupon motion of Supervisor Scorrano, seconded by Councilman Faulkner, the meeting was adjourned to an executive session at 6:00 PM with regard to personnel and contracts to return that evening.

7:00 PM – meeting reconvened

The Supervisor said that it was in order for the Board to open a public hearing with regard to the 2023 Preliminary Budget.

7:07 PM – hearing open

7:13 PM – meeting reconvened

This being a work session the following actions were taken:

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

RESOLVED, that the Town Board does hereby authorize 2022 General Fund Budget transfers per email date December 1, 2022 from Robert Kehoe, Director of Finance.

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

DECEMBER 8, 2022 – WORK SESSION

RESOLVED, that the Town Board does hereby acknowledge the retirement of Denise Schirmer from her full-time status, as such she will leave her part-time position as Secretary to the Architectural Review Board effective January 11, 2023. Denise will continue in her Secretary to the Zoning Board of Appeals part-time position effective January 12, 2023.

Thereupon motion of Supervisor Scorrano, seconded by Councilman Cirioco, it was unanimously,

RESOLVED, that the Town Board does hereby acknowledge the rehiring of Mr. Nicholas Hinkley as full-time Road Maintainer at an annual salary of \$56,787.54 (until Union Contract Determination) which he will receive 90% of for the first six months at an hourly rate of \$24.5715 then he will receive 95% after 26 weeks. Upon completion of one year of service, he will receive the full salary rate, per memo dated November 30, 2022 from Nicholas DeVito, Superintendent of Highways effective December 5, 2022 contingent upon the successful results of a physical, drug test, reference, background, and driver license checks.

This being a work session no further actions were taken.

Thereupon motion of Supervisor Scorrano, seconded by Councilman Faulkner, the meeting was adjourned at 8:20 PM.

---

Town Clerk



Sent to:  
TB, TA, TC  
5/11/22  
KD

DECEMBER 15, 2022 – REGULAR MEETING

Minutes of a regular meeting of the Town Board of the Town of Somers held on Thursday evening December 15, 2022 at 6:30 PM at the Town House, 335 Route 202, Somers, New York.

ROLL CALL:

PRESENT:	Supervisor	Robert G. Scorrano
	Councilman	Richard G. Clinchy
	Councilman	Thomas A. Garrity, Jr.
	Councilman	Anthony J. Ciriaco
	Councilman	William G. Faulkner

ABSENT:

Also present were Patricia Kalba, Town Clerk, Linda Verderame, Deputy Town Clerk and Roland A. Baroni, Jr., Town Attorney.

Supervisor Scorrano state that it was in order for the Board to enter into an executive session with regard to personnel and contract.

Thereupon motion of Supervisor Scorrano, seconded by Councilman Faulkner, the meeting was adjourned to an executive session with regard to personnel and contract at 6:30 PM to return that evening.

7:00 PM – meeting reconvened

PUBLIC COMMENT:

Mr. Stuart Finkle, Bedell Road, stated that he was present that evening to provide an update with regard to a proposed Day Care Center in his neighborhood. He said that he continued to talk the Office who permits that activity on the State level and the permits were moving forward. He expressed his concerns about having a Day Care Center in his neighborhood and was hoping the Town would have some recourse with regard to he concerns.

There being no one else to be heard on motion of Supervisor Scorrano, seconded Councilman Ciriaco, public comment was declared closed.

The Town Clerk presented monthly reports from the Town Clerk, Building Inspector, Zoning Board of Appeals, Plumbing, Bureau of Fire Prevention, Parks and Recreation, Planning and Engineering, Tax Receiver and Director of Finance.

The first item on the agenda was an update by the Supervisor with regard to Covid-19 and the infection rates in the Town and County.

DECEMBER 15, 2022 – REGULAR MEETING

The Supervisor said that the next item on the agenda was with regard to the 2023 Town Budget. He highlighted the changes that were made to the Preliminary Budget.

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

RESOLVED, that the Town Board does hereby adopt 2023 Preliminary Budget as the 2023 Adopted Budget.

The next item on the agenda was to award the bid for the replacement of the original section of the roof at the Annex Building.

Thereupon motion of Supervisor Scorrano, seconded by Councilman Ciriaco, it was unanimously,

RESOLVED, that the Town Board does hereby award bid and authorize the Supervisor to execute a contract for the replacement of the original section of the roof at the Annex Building in the amount of \$13,700.00 with MCAS Roofing and Contracting, Inc. per memo dated December 8, 2022 from Thomas J. Tooma, Building Inspector.

The Supervisor said that next item on the agenda was with to award for the pointing and capping of the chimneys at the Annex Building.

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

RESOLVED, that the Town Board does hereby award bid and authorize the Supervisor to execute a contract for the pointing and capping of the chimneys at the Annex Building in the amount of \$12,800.00 with MCAS Roofing and Contracting, Inc. per memo dated December 8, 2022 from Thomas J. Tooma, Building Inspector.

The next item was the purchase of a new Konica Minolta Bizhub 450i printer/copier in the Annex Building.

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

RESOLVED, that the Town Board does hereby authorize the Supervisor to execute the Order Package Acceptance Agreement for the purchase of a new Konica Minolta Bizhub 450i printer/copier in the Annex Building using a 60 month deferred payment program at a cost of \$81.82 per month with no interest for a total of \$4,909.15 and a maintenance agreement at a cost of \$21.90 per month with 3,000 allowable copies per month with \$0.00730 per copy on overage per email dated December 9, 2022 from Tammi Savva, Junior Administrative Assistant, Supervisor's Office.

DECEMBER 15, 2022 – REGULAR MEETING

PERSONNEL:

Current Vacancies:

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

Upcoming Vacancies - Terms Expiring in 2022:

- a. Partners in Prevention (2- 3-year terms ending 12/31/2022.)
- b. Planning Board (1- 7-year term ending 12/31/2022.)
- c. Zoning Board of Appeals (2 – 5-year terms ending 12/31/2022)

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

RESOLVED, that the Town Board does hereby authorize the payment of fifteen (15) unused vacation days to Steven Ralston, Superintendent of Parks and Recreation per email dated December 12, 2022 from Robert Kehoe, Director of Finance.

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

RESOLVED, that the Town Board does hereby authorize the payment of fifteen (15) unused vacation days to Thomas J. Tooma, Building Inspector per email dated December 12, 2022 from Robert Kehoe, Director of Finance.

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

RESOLVED, that the Town Board does hereby authorize a 2022 out of title adjustment for Catherine DiSisto, Secretary to Superintendent of Highways, in the amount of \$4,000.00 per memo dated December 7, 2022 from Nicholas DeVito, Superintendent of Highways.

The next item on the agenda was the consensus agenda.

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

1. RESOLVED, that the Town Board does hereby authorize the following SEQRA/Professional Service Fee refunds per memo dated November 29, 2022 from Dave B. Smith, Director of Planning:

DECEMBER 15, 2022 – REGULAR MEETING

- a. \$591.51 Verizon Wireless at Heritage Hills Refund of SEQRA/Professional Service Fee, TM: 17.05-20-2
  - b. \$1,036.25 Verizon Wireless at 294 Route 100 Refund of SEQRA/Professional Service Fee, TM: 17.19-1-1
  - c. \$2,365.73 Verizon Wireless at 2580 Route 35 (Santaroni) Refund of SEQRA/Professional Service Fee, TM: 37.13-2-3
  - d. \$1,330.00 Verizon Wireless at Somers Commons Refund of SEQRA/Professional Service Fee, TM: 4.20-1-11.6
2. RESOLVED, that the Town Board does hereby authorize release the following per memo dated December 2, 2022 from Steven Woelfle, Engineering Department:
- a. \$31,000.00 Agreement and Undertaking for the Road Drainage and Related Improvements – Greenbriar-Somers Corp. – Bank Account #700225048
  - b. \$930.00 Agreement and Undertaking for the Erosion Control – Greenbriar-Somers Corp. – Bank Account #700225055
3. RESOLVED, that the Town Board does hereby authorize the return of unspent JCAP Grant funds made payable to the Commissioner of Taxation and Finance per memo dated December 7, 2022 from Barbara Lloyd, Court Clerk
- 4a. RESOLVED, that the Town Board does hereby authorize the Supervisor to execute the Renewal Contract for the Town's 2023 Tax Map Maintenance with CAI Technologies, per email from Teresa Stegner, Assessor, dated September 8, 2022.
- 4b. RESOLVED, that the Town Board does hereby authorize the Supervisor to execute the application to reserve temporary use of the Somers Town House Green from Mr. Mitchell Kaufman for display of the Town Menorah from December 17, 2022 through January 9, 2023.
- 4c. RESOLVED, that the Town Board does hereby authorize the Supervisor to execute the American Rescue Plan CMC6 – HDC6 Grant Funds for Title III-C-2 Nutrition Programs Contract, commencing retroactive to April 1, 2021 – September 30, 2024 per memo dated November 18, 2022 from Barbara Taberer, Seniors and Nutrition Program Director.
5. RESOLVED, that the Town Board does hereby accept low bids for 2023 Highway Materials with the exception of mileage deviations for all categories picked up

DECEMBER 15, 2022 – REGULAR MEETING

(F.O.B.) by trucks furnished by the Town of Somers per memo dated December 8, 2022 from Nicholas DeVito, Superintendent of Highways

Claims for the payment of all Town Bills in the amount of \$1,855,423.56 were presented and allowed for payment as shown on the Abstract of Audited Claims on file in the office of the Town Clerk.

Thereupon motion of Supervisor Scorrano, seconded by Councilman Cirieco, the meeting was adjourned at 7:40 PM.

---

Town Clerk

Sent to:  
TB iTA/TC  
5/11/23  
KSO

DECEMBER 28, 2022 – SPECIAL MEETING

Minutes of a special meeting of the Town Board of the Town of Somers held on Wednesday morning December 28, 2022 at 9:00 AM at the Town House, 335 Route 202, Somers, New York.

ROLL CALL:

PRESENT:	Supervisor	Robert Scorrano
	Councilman	Richard G. Clinchy
	Councilman	Thomas A. Garrity, Jr.
	Councilman	William G. Faulkner

ABSENT:	Councilman	Anthony J. Ciriaco
---------	------------	--------------------

Also present were Patricia Kalba, Town Clerk.

The Supervisor state that this was a special meeting with regard to some end of year matters.

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

RESOLVED, that the Town Board does hereby approve, and sign the end of the year abstract.

Claims for the payment of all Town Bills in the amount of \$767,123.29 were presented and allowed for payment as shown on the Abstract of Audited Claims on file in the office of the Town Clerk.

Thereupon motion of Supervisor Morrissey, seconded by Councilman Garrity, the meeting was adjourned at 9:01 AM.

---

Town Clerk

Sent to:  
TB, TA, TC  
5/11/23  
KD

## DECEMBER 8, 2022 – PUBLIC HEARING

Minutes of a public hearing of the Town Board of the Town of Somers held on Thursday evening December 8, 2022 at 7:05 at the Town House, 335 Route 202, Somers, New York.

### ROLL CALL:

PRESENT:	Supervisor	Robert G. Scorrano
	Councilman	Richard G. Clinchy
	Councilman	Thomas A. Garrity, Jr.
	Councilman	Anthony J. Cirieco
	Councilman	William G. Faulkner

### ABSENT:

Also present were Patricia Kalba, Town Clerk and Roland A. Baroni, Jr., Town Attorney.

The Supervisor said that this was a public hearing with regard to the 2023 Preliminary Budget.

The Town Clerk presented affidavit of public notice of the public hearing that appeared in the Somers Record on November 24, 2022 and posted on Town Clerk's bulletin board the same day.

The Supervisor pointed out changes to the 2023 Preliminary Budget.

The Supervisor declared the hearing open and asked for comments from the public.

Ms. Barbara Tepper, President of the Board of Trustees for the Somers Library, spoke to the need of hiring a children's librarian and how the salary needed to be increased.

There being no one else to be heard on motion of Supervisor Scorrano, seconded by Councilman Cirieco, the public hearing was declared closed at 7:20 PM.

---

Town Clerk

Sent to:  
TB, TA, TC  
5/11/22  
KD

## JANUARY 5, 2023 – ORGANIZATIONAL MEETING

Minutes of an organizational meeting of the Town Board of the Town of Somers held on Thursday evening January 5, 2023 at 7:00 PM at the Town House 335 Route 202, Somers, New York.

### ROLL CALL:

PRESENT:	Supervisor	Robert G. Scorrano
	Councilman	Richard G. Clinchy
	Councilman	Thomas A. Garrity, Jr.
	Councilman	Anthony J. Ciriaco via ZOOM
		from Recreation and Community
		Center 13565 Monticello Blvd.
		Naples Florida
	Councilman	William G. Faulkner

### ABSENT:

Also present were Patricia Kalba, Town Clerk, Linda Verderame, Deputy Town Clerk and Roland A. Baroni, Jr., Town Attorney.

The first section of the agenda was a series of items under Procedures.

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

RESOLVED, that the Town Board Regular Monthly meetings are to be held at the Town House, Somers, on the second Thursday of each month at 7:00 PM or earlier if a motion for executive session is anticipated with monthly work session meeting to be held on the first Thursday of each month at 7:00 PM or earlier if a motion for executive session is anticipated at the Town House. When necessary, a third meeting will be held on the third Thursday of each month with the location specified in the notice of the meeting. Special meetings and all other work sessions will be held at the Town House, unless another location is specified in the notice of meeting or resolution calling such special meeting, and further that notice of all meetings and work sessions are given to the Town Board, Town Clerk and media by the Supervisor.

RESOLVED, that the Town Board does hereby adopt the following Town Board Meeting Format for 2023:

1. Pledge of Allegiance.
2. Roll Call.
3. Public Comment.
4. Approval of Minutes.
5. Reports from Department Heads/Town Clerk.



## JANUARY 5, 2023 – ORGANIZATIONAL MEETING

6. Business of the Board – with Parks and Recreation first, then Town Board, and then an alphabetical listing by department and/or topic including communications and resolutions.
7. Other business (including informational items and Board Comments.
8. Adjournment.

RESOLVED, that all claims are to be audited by the Town Board at its regular meeting each month; all claims are to be filed with the Town Clerk no later than the Monday before the Town Board Work Session or earlier if directed by the Supervisor. Claims for the following may be paid in advance of audit with appropriate certification and listed on a subsequent Abstract of Audited Vouchers:

Fuel Oil, Gas, Propane and Diesel Fuel and Electricity  
Mail costs  
Telephone service, including cellular telephones  
Health, Dental, Life and Vision Insurance  
Payment for leased vehicles  
Internet Services  
Workers Compensation Insurance  
Post Offices  
NYS Pension Installment  
CHIPS Reimbursement  
EZ Pass  
Home Depot  
Medicare Part B Reimbursement for Retirees  
Parks and Recreation Day Camp Trips

Department Head or employee submitting claim must assign the proper appropriation code and certify as to correctness of the voucher and that sufficient money exists in the appropriation code. All claims must have the proper supporting documentation, i.e. an original invoice. Only when it can be demonstrated that an original invoice is not available will an e-mail or fax copy be accepted.

RESOLVED, that items for regular monthly agendas shall be received in the Supervisor's Office no later than 12 noon of the Thursday in the week preceding the Town Board work session meeting. The agendas shall be posted on the Community Bulletin Board in the Town House and on the Web Site the Friday before a meeting with copies available to the public and the Town Clerk. No item shall be added to the agenda during the meeting without a majority of Town Board member's approval.

RESOLVED, that vacancies on the various boards and advisory committees shall be announced by the Town Board at least two (2) months, if possible, prior to the meeting that action is to be taken. In addition, they will be posted on the Website.

JANUARY 5, 2023 – ORGANIZATIONAL MEETING

RESOLVED, that the Town Board does hereby designate The Somers Record, to be the official Town newspaper for the year 2023 with others to be used whenever so designated by the Supervisor.

The next section on the agenda was a series of items under Financial.

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

RESOLVED, that the Town Board does hereby designate the following depositories for Town of Somers funds for the year 2023:

JP MORGAN CHASE

Debt Service Fund

General Fund - 2

Joint Bail Account\*

Tax Receiver's Account

Town Justice\*

Town Justice\*

Trust & Agency

Amawalk-Heights Water District

Amawalk-Shenorock Water District

Capital Funds

Highway Fund

Parks & Recreation Revolving Fund

Payroll Account

Recreation (Builders Fees)

Somers Sewer District No. 1

Town Clerk\*

Water Quality Improvement Program

Capital Project

SIGNATURE BANK

Town of Somers

NEW YORK COOPERTIVE LIQUID ASSETS SECURITIES SYSTEMS (NYCLASS)  
INVESTMENT FUND

Town of Somers

RESOLVED, that the Town Board does hereby authorize Robert Scorrano, Supervisor, as the signer on the above accounts and Rick Morrissey, Deputy Supervisor as alternate signer, with the exception of the asterisk (\*) accounts; they are signed by the appropriate department heads only.

## JANUARY 5, 2023 – ORGANIZATIONAL MEETING

RESOLVED, that the Supervisor be and hereby is authorized to negotiate and call for bids on Certificates of Deposit (CD) and to automatically renew at the best available interest rate, subject to acceptable Municipal or Federal Bonds securing such monies, and further that a reporting of CD ('s) be presented by the Supervisor to the Town Board at the regular Town Board meeting each month.

RESOLVED, that the Town Board does hereby authorize the Supervisor to deposit monies of the General Fund, Highway Fund and all other Funds in JP Morgan Chase.

RESOLVED, that the Town Board does hereby name O'Connor, Davies, LLP 500 Mamaroneck Ave., Suite 301, Harrison, NY 10528 as Town Auditors for the year 2023.

RESOLVED, that the Town Board does hereby authorize reimbursement for Town Officers and employees at \$.655 per mile as set by the Internal Revenue Service for use of their own automobiles when on official town business. The standard mileage rate is intended to cover all costs of operating a personal vehicle while conducting town business. Such costs include: gasoline, oil, maintenance, repairs, insurance and vehicle registration fees. Also, authorize reimbursement for Town Officers and employees necessary telephone calls made in connection with Town business upon submission of properly executed vouchers.

RESOLVED, that the Procurement Policy and Procedures for the purchase of goods or services as set in the Town Board resolution of January 2, 1992 and as amended on August 11, 2005, February 9, 2006, October 12, 2006 and February 11, 2010 have been reviewed. That resolution states that each prospective purchase shall be evaluated to determine the applicability of General Municipal Law Section 103. It also provides guidelines to aid in the required evaluation. As a result of this review, it has been determined that the existing Procurement Policy and Procedures should continue to be utilized for all purchasing activities by the Town.

RESOLVED, that the Town Board does hereby authorize the review of Investment Policy to comply with the primary objective listed:

- a. To conform with all applicable federal, state and other legal requirement (legal);
- b. To adequately safeguard principal (safety);
- c. To provide sufficient liquidity to meet all operating requirements (liquidity);  
and
- d. To obtain a reasonable rate of return (yield).

### **INVESTMENT POLICY FOR THE TOWN OF SOMERS SOMERS, NEW YORK**

#### **I. SCOPE**

This investment policy applies to all moneys and other financial resources available for investment on its own behalf or on behalf of any other entity or individual.

## **II. OBJECTIVES**

The primary objectives of the local government's investment activities are, in priority order,

- to conform with all applicable federal, state and other legal requirements (legal);
- to adequately safeguard principal (safety);
- to provide sufficient liquidity to meet all operating requirements (liquidity); and
- to obtain a reasonable rate of return (yield).

## **III. DELEGATION OF AUTHORITY**

The governing board's responsibility for administration of the investment program is delegated to the Supervisor who shall establish written procedures for the operation of the investment program consistent with these investment guidelines. Such procedures shall include an adequate internal control structure to provide a satisfactory level of accountability based on a data base of records incorporating description and amounts of investments, transaction dates, and other relevant information and regulate the activities of subordinate employees.

## **IV. PRUDENCE**

All participants in the investment process shall seek to act responsibly as custodians of the public trust and shall avoid any transaction that might impair public confidence in the Town of Somers to govern effectively.

Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the safety of the principal as well as the probable income to be derived.

To ensure a competitive rate of return, the Supervisor will seek quoted interest rates from at least three banks before placing the Town's funds with the highest bidder, and will also report if a bank passes on a quote.

All participants involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions.

## **V. DIVERSIFICATION**

## JANUARY 5, 2023 – ORGANIZATIONAL MEETING

It is the policy of the Town of Somers to diversify its deposits and investments by financial institution, by investment instrument, and by maturity scheduling.

### **VI. INTERNAL CONTROLS**

It is the policy of the Town of Somers for all moneys collected by any officer or employee of the government to transfer those funds to the Supervisor within two days of or for deposit, or within the time period specified in law, whichever is shorter, with the exception of the Town Clerk's funds as specified by law.

The Supervisor is responsible for establishing and maintaining an internal control structure to provide reasonable, but not absolute, assurance that deposits and investments are safeguarded against loss from unauthorized use or disposition, that transactions are executed in accordance with management's authorization and recorded properly, and are managed in compliance with applicable laws and regulations.

### **VII. DESIGNATION OF DEPOSITORIES**

The banks and trust companies are authorized for the deposit of monies up to the maximum amounts of \$45,000,000.00.

### **VIII. COLLATERALIZING OF DEPOSITS**

In accordance with the provisions of General Municipal Law, Section 10, all deposits of the Town of Somers, including certificates of deposit and special time deposits, in excess of the amount insured under the provisions of the Federal Deposit Insurance Act shall be secured:

1. By a pledge of "eligible securities" with an aggregate "market value" as provided by GML Section 10, equal to the aggregate amount of deposits from the categories designated in Appendix A to the policy.

2. By an eligible "irrevocable letter of credit" issued by a qualified bank other than the bank with the deposits in favor of the government for a term not to exceed 90 days with an aggregate value equal to 140% of the aggregate amount of deposits and the agreed upon interest, if any. A qualified bank is one whose commercial paper and other unsecured short-term debt obligations are rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization or by a bank that is in compliance with applicable federal minimum risk-based capital requirements.

## JANUARY 5, 2023 – ORGANIZATIONAL MEETING

3. By an eligible surety bond payable to the government for an amount at least equal to 100% of the aggregate amount of deposits and the agreed upon interest, if any, executed by an insurance company authorized to do business in New York State, whose claims-paying ability is rated in the highest rating category by at least two nationally recognized statistical rating organizations.

### **IX. SAFEKEEPING AND COLLATERALIZATION**

Eligible securities used for collateralizing deposits shall be held by a designated bank or trust company subject to security and custodial agreements.

The security agreement shall provide that eligible securities are being pledged to secure local government deposits together with agreed upon interest, if any, and any costs or expenses arising out of the collection of such deposits upon default. It shall also provide the conditions under which the securities may be sold, presented for payment, substituted or released and the events, which will enable the local government to exercise its rights against the pledged securities. In the event that the securities are not registered or inscribed in the name of the local government, such securities shall be delivered in a form suitable for transfer or with an assignment in blank to the Town of Somers or its custodial bank.

The custodial agreement shall provide that securities held by the bank or trust company, or agent of and custodian for the local government, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement should also describe that the custodian shall confirm the receipt, substitution or release of the securities. The agreement shall provide for the frequency of revaluation of eligible securities and for the substitution of securities when a change in the rating of a security may cause ineligibility. Such agreement shall include all provisions necessary to provide the local government a perfected interest in the securities.

### **X. PERMITTED INVESTMENTS**

As authorized by General Municipal Law, Section 11, the Town of Somers authorizes the Supervisor to invest moneys not required for immediate expenditure for terms not to exceed its projected cash flow needs in the following types of investments:

- Special time deposit accounts;
- Certificates of deposit;
- Obligations of the United States of America;
- Obligations guaranteed by agencies of the United States of America where the payment of principal and interest are guaranteed by the United States of America;
- Obligations of the State of New York;

## JANUARY 5, 2023 – ORGANIZATIONAL MEETING

- Obligations issued pursuant to LFL Section 24.00 or 25.00 (with approval of the State Comptroller) by any municipality, school district or district corporation other than the Town of Somers;
- Obligations of public authorities, public housing authorities, urban renewal agencies and industrial development agencies where the general State statutes governing such entities or whose specific enabling legislation authorizes such investments;
- Certificates of Participation (COPs) issued pursuant to GML Section 109-b; Obligations of this local government, but only with any moneys in a reserve fund established pursuant to GML Sections 6-c, 6-d, 6-e, 6-g, 6-h, 6-j, 6-k, 6-l, 6-m, or 6-n.

All investment obligations shall be payable or redeemable at the option of the Town of Somers within such times as the proceeds will be needed to meet expenditures for purposes for which the moneys were provided and, in the case of obligations purchased with the proceeds of bonds or notes, shall be payable or redeemable at the option of the Town of Somers within two years of the date of purchase.

### **XI. AUTHORIZED FINANCIAL INSTITUTIONS AND DEALERS**

The Town of Somers shall maintain a list of financial institutions and dealers approved for investment purposes and establish appropriate limits to the amount of investments, which can be made with each financial institution or dealer. All financial institutions with which the local government conducts business must be credit worthy. Banks shall provide their most recent Consolidated Report of Condition (Call Report) at the request of the Town of Somers. Security dealers not affiliated with a bank shall be required to be classified as reporting dealers affiliated with the New York Federal Reserve Bank, as primary dealers. The Supervisor is responsible for evaluating the financial position and maintaining a listing of proposed depositories, trading partners and custodians. Such listing shall be evaluated at least annually.

### **XII. PURCHASE OF INVESTMENTS**

The Supervisor is authorized to contract for the purchase of investments:

1. Directly, including through a repurchase agreement, from an authorized trading partner.
2. By participation in a cooperative investment program with another authorized governmental entity pursuant to Article 5G of the General Municipal Law where such program meets all the requirements set forth in the Office of the State Comptroller Opinion No. 88-46, and the specific program has been authorized by the governing board.
3. By utilizing an ongoing investment program with an authorized trading partner pursuant to a contract authorized by the governing board.

## JANUARY 5, 2023 – ORGANIZATIONAL MEETING

All purchased obligations, unless registered or inscribed in the name of the local government, shall be purchased through, delivered to and held in the custody of a bank or trust company. Such obligations shall be purchased, sold or presented for redemption or payment by such bank or trust company only in accordance with prior written authorization from the officer authorized to make the investment. All such transactions shall be confirmed in writing to the Town of Somers by the bank or trust company. Any obligation held in the custody of a bank or trust company shall be held pursuant to a written custodial agreement as described in General Municipal Law, Section 10.

The custodial agreement shall provide that securities held by the bank or trust company, as agent of and custodian for, the local government, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement shall describe how the custodian shall confirm the receipt and release of the securities. Such agreement shall include all provisions necessary to provide the local government a perfected interest in the securities.

### **XIII. REPURCHASE AGREEMENTS**

Repurchase agreements are authorized subject to the following restrictions:

- All repurchase agreements must be entered into subject to a Master Repurchase Agreement.
- Trading partners are limited to banks or trust companies authorized to do business in New York State and primary reporting dealers.
- Obligations shall be limited to obligations of the United States of America and obligations guaranteed by agencies of the United States of America.
- No substitution of securities will be allowed.
- The custodian shall be a party other than the trading partner.

### **XIV. AUDIT**

At the time independent auditors conduct the annual audit of the accounts and financial affairs of the Town of Somers, the independent auditors shall audit the investments of the Town for compliance with the provisions of this investment policy.

## **APPENDIX A**



**SCHEDULE OF ELIGIBLE SECURITIES**

- (i) Obligations issued, or fully insured or guaranteed as to the payment of principal and interest, by the United States of America, an agency thereof or a United States government sponsored corporation.
- (ii) Obligations partially insured or guaranteed by any agency of the United States of America, at a proportion of the Market Value of the obligations that represents the amount of the insurance or guaranty.
- (iii) Obligations issued or fully insured or guaranteed by the State of New York, obligations issued by a municipal corporation, school district or district corporation of such State or obligations of any public benefit corporation which under a specific State statute may be accepted as security for deposit of public moneys.

RESOLVED, that the Town Board does hereby authorize review policy for Capitalization of Property, Plant & Equipment formerly Fixed Asset Policy to comply with GASB 34 and other State and Federal Laws.

**PURPOSE:**

To establish capitalization thresholds for the Town's property, plant and equipment which are required for accounting and reporting purposes by the Governmental Accounting Standards Board Statement No. 34 (GASB 34)

**CAPITALIZATION THRESHOLDS:**

Accountability

Property, plant and equipment with an expected useful life of one year or more (benefiting or providing services in future periods), subject to the cost threshold of \$1,000 or more, will be inventoried and recorded in the asset management system.

Capitalization

Capital assets are major assets that benefit more than a single fiscal year and subject to the cost threshold of \$5,000 or more. These assets will be inventoried and recorded in the financial records.

JANUARY 5, 2023 – ORGANIZATIONAL MEETING

RESOLVED, that all purchases made by Departments, where practical and cost effective, be made under New York State and Westchester County and Putnam County Contracts if possible and according to the established procurement policy of the Town Board.

RESOLVED, that the Town Board does hereby establish the following Police Reimbursement Rates for the year 2023:

The Reimbursement Rate is set at 150% of the hourly rate in effect at the time of service, with a three (3) hour minimum.

The Holiday Reimbursement Rate is set at 150% of the hourly rate in effect at time of service, with a three (3) hour minimum.

RESOLVED, that the Town Board does hereby adopt the following reimbursement rates for engineering reviews and inspections, SEQRA reviews and secretarial services related to SEQRA for 2023:

Supervisor	\$ 145.26
Supervisor's Secretary	91.80
Town Clerk	112.15
Deputy Town Clerk	81.57
Director of Finance	146.30
Senior Bookkeeper	76.88
Senior Account Clerk Part time	53.86
Principal Engineering Technician	132.39
Engineer Senior Office Assistant	99.00
Planner	150.00
Planning Secretary Part Time	125.00
Building Inspector	131.57
Assistant Building Inspector	82.48
Building/Zoning/Senior Office Asst.	57.29

RESOLVED, that the Town Board does hereby authorize the Superintendent of Water & Sewers to request proposals for equipment rental rates from local contractors and upon receipt of the proposed rental rates adopt the highest rate as the maximum hourly rental rate and, further, that the Superintendent of Water & Sewers use the contractor with the lowest rate whenever possible, for equipment hired and personnel used for Water District improvements, repair and maintenance operations in the year 2023.

RESOLVED, that the Town Board does hereby amend NYSLRS the standard workday reporting resolution dated April 8, 1975 by adopting the following standards for hours constituting a full work day for the New York State and Local Retirement System or any other Pension system in which an employee is a member of:

JANUARY 5, 2023 – ORGANIZATIONAL MEETING

Highway and Water and Sewer maintenance employees-8 Hours; Summer Recreation employees 6.5 hours; Elected Officials-6 hours; Appointed Officials-7 hours; all other employees - 7 hours.

The Supervisor said the next was a series of items with regard to Highway.

Thereupon motion of Supervisor Scorrano, seconded by Councilman Garrity, it was unanimously,

RESOLVED, that the Town Board does hereby authorize the Superintendent of Highways where practical and cost effective to purchase items under New York State and Westchester County and Putnam County Contracts if possible and according to the established Procurement Policy of the Town Board.

RESOLVED, that the Town Board does hereby authorize the Superintendent of Highways to request proposals for equipment rental rates from local contractors and upon receipt of the proposed rental rates adopt the highest rate as the maximum hourly rental rate and further that the Superintendent of Highways use the contractor with the lowest rate whenever possible, for equipment hired and personnel used for highway improvements, repair and maintenance operations and the removal of snow and ice during the year 2023.

RESOLVED, that the Town Board does hereby authorize the Superintendent of Highways to expend monies for the purchase of equipment, tools and implements (other than bid items) and hourly equipment rental, up to the value of \$10,000.00 without prior approval of the Town Board.

RESOLVED, that the Town Board does hereby approve and execute Agreement for the expenditure of Highway monies for the year 2023.

RESOLVED, that the Town Board does hereby set the following rates of pay for Highway Employees for the year 2023 as recommended by the Highway Superintendent:

Heavy Motor Equipment Operator	\$35.35 to \$39.27 per hour
Motor Equipment Operator	\$34.22 to \$38.03 per hour
Road Maintenance Foreman	\$37.99 to \$42.08 per hour
Road Maintainer	\$25.25 to \$28.05 per hour
Skilled Road Maintainer	\$27.21 to \$30.23 per hour
Seasonal Employees	\$ 16.00 to \$30.00 per hour
Sr. Auto Mechanic	\$36.19 to \$40.21 per hour
Auto Mechanic Helper	\$27.21 to \$30.23 per hour

RESOLVED, that the Superintendent of Highways announced the appointment of Paul Westhoff as Deputy Superintendent of Highways at an annual salary of \$100,565.00 to serve at the pleasure of the Superintendent of Highways pursuant to Section 32 of Town Law for a term ending December 31, 2023.

JANUARY 5, 2023 – ORGANIZATIONAL MEETING

RESOLVED, that the Superintendent of Highways announced the appointment of Catherine A. DiSisto as Secretary to the Superintendent of Highways at an annual salary of \$71,600.00 to serve at the pleasure of the Superintendent pursuant to Section 32 of the Town Law for a term ending December 31, 2023.

The next section was with regard to Appointments for Town Departments and Board and Committee Chairs.

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

RESOLVED, that the Supervisor announces the designation of Rick Morrissey as Deputy Supervisor to serve at the pleasure of the Supervisor to a term ending December 31, 2023.

RESOLVED, that the Supervisor announced the reappointment of Doris Jane Smith as Town Historian at an annual salary of \$2,986.00 to a term ending December 31, 2023.

RESOLVED, that the Supervisor announced the reappointment of Kim DeLucia as Confidential Executive Assistant to the Supervisor at an annual salary of \$93,636.00 to a term ending December 31, 2023.

RESOLVED, that pursuant to Section 29, Sub. 10A of Town Law, the Supervisor is hereby directed to submit to the Town Clerk, within 120 days after the close of the fiscal year, a copy of the report to the State Comptroller, required by Section 30 of General Municipal Law, and the Town Clerk shall cause notice of the report to be published within ten days after receipt thereof in the official newspaper.

RESOLVED, that the Town Board does hereby authorize attendance by Town Officials and employees at the annual meeting of the Association of Towns of the State of New York on February 12, 2023 – February 15, 2023, and to be reimbursed for any necessary and customary expenses in the usual manner, except for overnight stay in New York City.

RESOLVED, that the Town Board does hereby appoint Councilman Clinchy to act as the Delegate of the Town of Somers at the annual meeting of the Association of Towns of the State of New York on February 12, 2023 – February 15, 2023

RESOLVED, that Town Clerk Patricia Kalba does hereby announce the appointment of Linda Verderame as Deputy Town Clerk at an annual salary of \$60,000.00 to serve at the pleasure of the Town Clerk to a term January 1, 2023 to December 31, 2023.

RESOLVED, that the Town Board does hereby approve the annual salary of Patricia Kalba, Election Liaison at \$3,000.00 per annum for a term January 15, 2023 to January 14, 2023.

RESOLVED, that the Town Board does hereby approve the annual salary of Linda Verderame as Deputy Election Liaison at \$1,000.00 per annum for a term January 15, 2023 to January 14, 2023.

JANUARY 5, 2023 – ORGANIZATIONAL MEETING

RESOLVED, that the Town Board does hereby appoint Patricia Kalba Registrar of Vital Statistics for the term January 1, 2023 to December 31, 2023, to be compensated as revenues occur.

WHEREAS, Chapter 49 of the Laws of 1988 added a new Section 11-c to the New York Domestic Relations Law, empowering the governing body of any Village, Town or City to appoint one or more Marriage Officers and fix their compensation; and

WHEREAS, the Town Board of the Town of Somers, a duly constituted Town of the Suburban Class, deems it necessary and proper to create the position of Marriage Officer, possessing statutory authority to solemnize marriages within the Town;

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the provisions of such Section 11-c of the Domestic Relations Law, Patricia Kalba, Town Clerk, is hereby appointed a Marriage Officer of the Town of Somers, and be it

FURTHER RESOLVED, that said Town Clerk shall be paid \$75.00 as compensation for solemnizing marriages within the Town, which compensation shall be in addition to the compensation received as Town Clerk, and be it

FURTHER RESOLVED, that this appointment shall take effect on January 1, 2023, and shall continue for a term ending on December 31, 2023.

RESOLVED, that the Registrar of Vital Statistics does hereby announce the appointment of Linda Verderame as Deputy Registrar of Vital Statistics for the term January 1, 2023 to December 31, 2023 to serve without compensation in the absence of the Registrar.

RESOLVED, that Receiver of Taxes Michele McKearney does hereby announce the appointment of Christine Rossiter as Deputy Receiver of Taxes at an annual salary of \$60,000.00 to serve at the pleasure of the Tax Receiver to a term January 1, 2023 to December 31, 2023.

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

RESOLVED, that the Town Board does hereby reappoint John Alfonzetti as Chairman of the Architectural Review Board at an annual salary of \$1,592.00 to a term ending December 31, 2023.

RESOLVED, that the Town Board does hereby reappoint Kevin Westerman as Chairman of the Parks and Recreation Board at an annual salary of \$1,591.00 to a term ending December 31, 2023.

JANUARY 5, 2023 – ORGANIZATIONAL MEETING

RESOLVED, that the Town Board does hereby reappoint R. John Currie as Chairman of the Planning Board at an annual salary of \$2,652.00 to a term ending December 31, 2023.

RESOLVED, that the Town Board does hereby reappoint Victor Cannistra as Chairman of the Somers Zoning Board of Appeals at an annual salary of \$2,122.00 to a term ending December 31, 2023.

RESOLVED, that the Town Board does hereby reappoint Richard A. Auerbach as Chairman of the Affordable Housing Board to a term ending December 31, 2023.

RESOLVED, that the Town Board does hereby reappoint Thomas J Tooma, Jr. as Chief to the Bureau of Fire Prevention to a term ending December 31, 2023.

RESOLVED, that the Town Board does hereby reappoint Alexander J. Vigliotti as Deputy Chief to the Bureau of Fire Prevention to a term ending December 31, 2023.

RESOLVED, that the Town Board does hereby reappoint Robert R. Russell, III as Deputy Chief to the Bureau of Fire Prevention to a term ending December 31, 2023.

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

RESOLVED, that the Town Board does hereby reappoint Michael Barnhart as Chairman of the Open Space Committee to a term ending December 31, 2023.

RESOLVED, that the Town Board does hereby reappoint Donald Bleasdale as Chairman of the Somers Energy Environment Committee to serve at the pleasure of the Board to a term ending December 31, 2023.

RESOLVED, that the Town Board does hereby reappoint Kathleen G. Cucchiarella to the Substance Abuse Council/Partners in Prevention as Chair to a term ending December 31, 2023.

The next item on the agenda was a series of items under Appointments and Contracts.

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

RESOLVED, that the Town Board does hereby authorize the Supervisor to execute proposal from Roland A. Baroni, Esq. of Stephens, Baroni, Reilly & Lewis, LLP as Town Attorney for the Town of Somers for the calendar year 2023 per letter dated January 1, 2023.

JANUARY 5, 2023 – ORGANIZATIONAL MEETING

RESOLVED, that the Town Board does hereby authorize the Supervisor to execute proposal from J. O'Connell & Associates dated December 9, 2022 as Grant Consultants for January 1, 2023 to December 31, 2023.

RESOLVED, that the Town Board does hereby authorize the Supervisor to execute the 2023 renewal of an Annual Service Agreement with RDM Computer Consultants, Inc. dated December 28, 2022 to provide IT Consulting, Network, File Service and Desktop Support for the Town of Somers Computer System.

The Supervisor announced the Town Board Liaisons as follows:

Building Department and Zoning Board of Appeals	Supervisor Scorrano & Councilman Faulkner
Budget, Audit, Finance, Taxes and Assessment	Supervisor Scorrano & Councilman Cirioco
Cable Television	Councilman Garrity
Highway	Councilman Garrity & Councilman Clinchy
Intergovernmental Affairs	Councilman Faulkner & Councilman Cirioco
Planning and Engineering	Supervisor Scorrano & Councilman Garrity
Police and Fire	Councilman Cirioco & Councilman Faulkner
Parks and Recreation	Councilman Garrity & Councilman Clinchy
Energy and Environment	Councilman Clinchy
Water and Sewers	Councilman Cirioco
Emergency Preparedness	Councilman Cirioco
Landmarks and Historic Preservation	Supervisor Scorrano
Court Administration	Councilman Clinchy
Open Space Committee	Councilman Faulkner
Risk Management	Robert Kehoe & Councilman Garrity
School Liaison	Councilman Cirioco & Councilman Clinchy
Substance Abuse Council/Partners in Prevention	Councilman Cirioco
Library	Councilman Clinchy & Councilman Garrity

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

JANUARY 5, 2023 – ORGANIZATIONAL MEETING

RESOLVED, that the Town Board does hereby appoint Barbara Lloyd as Service Officer for the Town of Somers for the term January 1, 2023 to December 31, 2023 to serve without compensation.

The Supervisor said that the next section was with regard to Salaries.

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

RESOLVED, that the Town Board does hereby adopt resolution setting salaries and longevity payments (where applicable) of Town Officials & Employees for the year commencing January 1, 2023.

Thereupon motion of Supervisor Scorrano, seconded by Councilman Faulkner, the meeting was adjourned at 7:18 PM.

---

Town Clerk



Sent to:  
TB, TA, TC  
5/11/23  
KD

## JANUARY 5, 2023 – WORK SESSION

Minutes of a Work Session of the Town Board of the Town of Somers held on Thursday evening January 5, 2023 at 6:00 PM at the Town House, 335 Route 202, Somers, New York.

### ROLL CALL:

PRESENT:	Supervisor	Robert G. Scorrano
	Councilman	Richard G. Clinchy
	Councilman	Thomas A. Garrity, Jr.
	Councilman	Anthony J. Ciriaco via ZOOM
		from Recreation and Community
		Center 13565 Monticello Blvd.
		Naples Florida
	Councilman	William G. Faulkner

### ABSENT:

Also present were Patricia Kalba, Town Clerk, Linda Verderame, Deputy Town Clerk and Roland A. Baroni, Jr., Town Attorney.

Supervisor Scorrano state that it was in order for the Board to enter into an executive session with regard to personnel and contract.

Thereupon motion of Supervisor Scorrano, seconded by Councilman Faulkner, the meeting was adjourned to an executive session with regard to personnel and contract at 6:00 PM to return that evening.

Immediately following the Annual Organizational meeting, the Work Session reconvened at 7:19 PM.

This being a work session the following actions were taken:

Thereupon motion of Supervisor Scorrano, seconded Councilman Faulkner, it was unanimously,

RESOLVED, that the Town Board does hereby acknowledge receipt of the Draft of Somers Wireless Communications Facilities Law and refer to David Smith, Town Planner; Thomas J. Tooma, Building Inspector; and Woodard & Curran, Town Engineer.

Thereupon motion of Supervisor Scorrano, seconded Councilman Faulkner, it was unanimously,

JANUARY 5, 2023 – WORK SESSION

RESOLVED, that the Town Board does hereby approve a change order for additional work required for the Chimneys on Annex Roof project in the amount of \$8,200.00 per memo dated January 5, 2023.

This being a work session no further actions were taken.

Thereupon motion of Councilman Faulkner, seconded by Councilman Ciriaco, the meeting was adjourned at 7:50 PM.

---

Town Clerk

Sent to:  
TB, TA, TC  
5/11/23  
KD

## JANUARY 12, 2023 – REGULAR MEETING

Minutes of a regular meeting of the Town Board of the Town of Somers held on Thursday evening January 12, 2022 at 6:00 PM at the Town House, 335 Route 202, Somers, New York.

### ROLL CALL:

PRESENT:	Supervisor	Robert G. Scorrano
	Councilman	Richard G. Clinchy
	Councilman	Thomas A. Garrity, Jr.
	Councilman	Anthony J. Ciriaco via ZOOM from Recreation and Community Center 13565 Monticello Blvd. Naples Florida
	Councilman	William G. Faulkner

### ABSENT:

Also present were Patricia Kalba, Town Clerk, Linda Verderame, Deputy Town Clerk and Roland A. Baroni, Jr., Town Attorney.

Supervisor Scorrano state that it was in order for the Board to enter into an executive session with regard to personnel and contract.

Thereupon motion of Supervisor Scorrano, seconded by Councilman Faulkner, the meeting was adjourned to an executive session with regard to personnel and contract at 6:30 PM to return that evening.

7:00 PM – meeting reconvened

### PUBLIC COMMENT:

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

The first item on the agenda was approval of minutes.

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

RESOLVED, that the Town Board does hereby approve the minutes of the October 13, 2022 Regular Meeting, the November 10, 2022 Public Hearing, the November 10, 2022, the Regular Meeting and the November 23, 2022 Special Meeting.

## JANUARY 12, 2023 – REGULAR MEETING

The Town Clerk presented monthly reports from the Town Clerk, Building Inspector, Zoning Board of Appeals, Plumbing, Bureau of Fire Prevention, Parks and Recreation, Planning and Engineering, Tax Receiver and Director of Finance.

The next item was an update by the Supervisor with regard to Covid-19. He stated that the State was no longer providing Covid-19 information to the Town and County, therefore this topic would no longer be an agenda item.

The Supervisor said that the next item on the agenda was an update from Teresa Stegner, Town Assessor with regard to the new Westchester County Tax Exemption Laws with regard Senior Citizens. Ms. Stegner explained the new law, who would be eligible and the effects to the Town tax levy. She also stated that if this was something the Town wanted to consider a Public Hearing would be required.

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

RESOLVED, that the Town Board does hereby schedule a Public Hearing for February 9, 2023 with regard to a to the proposed Local Law to amend Chapter 154 entitled Taxation, Article II entitled Senior Citizens Tax Exemption, of the CODE of the Town of Somers.

The next item on the agenda was several contracts that needed to be approved by the Town Board.

Thereupon motion of Supervisor Scorrano, seconded by Councilman Garrity, it was unanimously,

RESOLVED, that the Town Board does hereby authorize the Supervisor to execute the proposal from Euro Video Productions LLC in the amount of \$2,300 per month for a thirty-six-month period starting on January 1, 2023 through December 31, 2025, dated September 20, 2022.

RESOLVED, that the Town Board does hereby authorize the Supervisor to execute the "Consulting Services Proposal" from Hardesty & Hanover (H&H) for 2023 as outlined in the proposal from David Lapping, PTP, dated January 4, 2023.

RESOLVED, that the Town Board does hereby authorize the Supervisor to execute the proposal from Christopher Kurtz, Esq., Bond Schoeneck & King, PLLC as special labor counsel to the Town for calendar years 2023 and 2024, dated January 6, 2023.

RESOLVED, that the Town Board does hereby authorize the Supervisor to execute the proposal from ESI Group Employee Assistance Program in the amount of \$3,200 effective January 1, 2023, dated January 1, 2023.

JANUARY 12, 2023 – REGULAR MEETING

RESOLVED, that the Town Board does hereby authorize the Supervisor to execute the annual proposal for Engineering Services from Woodard & Curran for 2023 based on the updated 2023 rate table, dated January 5, 2023.

RESOLVED, that the Town Board does hereby authorize the Supervisor to execute the annual proposal for Planning Department Support from Woodard & Curran for 2023 with an estimated average cost of \$6,000 per month not to exceed \$72,000.00/year without prior authorization, dated January 5, 2023.

RESOLVED, that the Town Board does hereby authorize the Supervisor to execute the proposal for Planning, Review and Development Services from Planning & Development Advisors (PDA) for January 1, 2023 – December 31, 2023, dated January 9, 2023.

RESOLVED, that the Town Board does hereby authorize the Supervisor to execute the proposal from Capital Market Advisors, LLC as Bond advisors for January 1, 2023 to December 31, 2023, dated January 9, 2023.

The Supervisor said that next item on the agenda was an add-on with regard to an agreement with Woodard and Curran for Engineering Service with regard to the Town of Somers Water System upgrade.

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

RESOLVED, that the Town Board does hereby authorize the Supervisor to execute the proposal for Professional Engineering and Permitting services from Woodard & Curran for Route 202 Somers Water Main Project – Elephant Hotel PFAS NOV per letter dated November 29, 2022 from Steven C. Robbins, Project Manager, Woodard and Curran.

The next item was an add-on with regard to the purchase of one to two Chevy Malibus.

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

RESOLVED, that the Town Board does hereby authorize the purchase of two 2022 or 2023 Chevrolet Malibus not to exceed \$25,000.00 each piggybacking off the Onondaga County Bid.

PERSONNEL:

Current Vacancies:

- a. Affordable Housing Board (1- 2-year term ending 7/11/2024.)

## JANUARY 12, 2023 – REGULAR MEETING

- b. Assessment Board of Review (1- 5-year term ending 9/30/2023.)
- c. Partners in Prevention (1- 3-year term ending 12/31/2023.)
- d. Partners in Prevention (4- 3-year terms ending 12/31/2025.)
- e. Planning Board (1- 7-year term ending 12/31/2029.)
- f. Zoning Board of Appeals (2 – 5-year terms ending 12/31/2027.)

### 2. Upcoming Vacancies - Terms Expiring in 2023:

- a. Architectural Review Board (4 – 3-year terms ending 3/31/2023.)
- b. Parks and Recreation Board (4 – 3-year terms ending 3/9/2023.)

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

RESOLVED, that the Town Board does hereby authorize the appointment of Allison Colella to the Somers Library Board of Trustees to fill one of two newly created positions on the Board for a five-year term effective January 1, 2023 and ending December 31, 2027.

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

RESOLVED, that the Town Board does hereby acknowledge the failed probation of employee with ADP ID: 099352 as a Motor Equipment Operator. He has returned to his prior job title of Skilled Road Maintainer effective November 14, 2022 per memo dated January 6, 2023 from Nicholas DeVito, Superintendent of Highways.

The next item on the agenda was the consensus agenda.

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

1. RESOLVED, that the Town Board does hereby authorize the return of the following Bonds per memos dated December 15, 2022 and December 22, 2022 from Steven Woelfle, Engineering Department:
  - a. \$5,765.00 Erosion Control Bond Mastrantoni Steep Slopes/Stormwater Management and Erosion and Sediment Control/Tree Preservation Permit, # SSSMESCT2021-10, TM: 36.12-2-6.1
  - b. \$100.00 Erosion Control Bond – Lake Purdys Property Owners Association, Wetland Permit #AW2013-05, TM: 17.16-1-28&29 c. \$100.00 Erosion Control Bond – Il Forno, Inc. Amended Site Plan, Resolution No. 2017-16

JANUARY 12, 2023 – REGULAR MEETING

2. RESOLVED, that the Town Board does hereby authorize the following SEQRA/Professional Service Fee refund per memo dated December 21, 2022 from David B. Smith, Town Planner:
  - a. \$546.74 Best Plumbing Supply Inc., TM: 28.15-1-2&4
3. RESOLVED, that the Town Board does hereby authorize the following per December 29, 2022 memo from Steven Ralston, Superintendent of Parks & Recreation:
  - a. Adopt fee schedule for 2023 programs and services.
  - b. Supervisor to execute North East Westchester Special Recreation, Inc Interagency Agreement for 2023 program year.

Claims for the payment of all Town Bills in the amount of \$614,940.41 were presented and allowed for payment as shown on the Abstract of Audited Claims on file in the office of the Town Clerk.

Thereupon motion of Supervisor Scorrano, seconded by Councilman Ciriaco, the meeting was adjourned at 7:45 PM.

---

Town Clerk

Sent to:  
TB, TA, TC  
5/11/23  
KD

## FEBRUARY 2, 2023 – WORK SESSION

Minutes of a Work Session of the Town Board of the Town of Somers held on Thursday evening February 2, 2023 at 6:00 PM via remote access.

### ROLL CALL:

PRESENT:	Supervisor	Robert G. Scorrano
	Councilman	Richard G. Clinchy
	Councilman	Thomas A. Garrity, Jr.
	Councilman	Anthony J. Ciriaco
	Councilman	William G. Faulkner

### ABSENT:

Also present were Patricia Kalba, Town Clerk and Roland A. Baroni, Jr., Town Attorney (via ZOOM).

Supervisor Scorrano state that it was in order for the Board to enter into an executive session with regard to personnel and contract.

Thereupon motion of Supervisor Scorrano, seconded by Councilman Faulkner, the meeting was adjourned to an executive session with regard to personnel and contract at 6:00 PM to return that evening.

7:00 PM – meeting reconvened

This being a work session the following actions were taken:

Thereupon motion of Supervisor Scorrano, seconded Councilman Faulkner, it was unanimously,

RESOLVED, that the Town Board does hereby schedule a Public Hearing for February 9, 2023 with regard to a to the proposed Local Law to amend to amend §170-3 Definitions to add Transient Basis to the CODE of the Town of Somers.

Thereupon motion of Supervisor Scorrano, seconded Councilman Ciriaco, it was unanimously,

RESOLVED, that the Town Board does hereby refer a request for stop signs at various locations in Shenororck to the Somers Police Department, Bureau of Fire Prevention, and Engineering for evaluation per email dated January 23, 2023 from Nick DeVito, Highway Superintendent

Thereupon motion of Supervisor Scorrano, seconded Councilman Faulkner, it was unanimously,



FEBRUARY 2, 2023 – WORK SESSION

RESOLVED, that the Town Board does hereby refer a request for temporary speed bumps to be installed at the Recreation Area by Lake Shenorock to the Somers Police Department, Bureau of Fire Prevention, and Engineering for evaluation per email dated January 23, 2023 from Nick DeVito, Highway Superintendent.

Thereupon motion of Supervisor Scorrano, seconded by Councilman Garrity, it was unanimously,

RESOLVED, that the Town Board does hereby authorize the re-appointment of Ms. Patricia Otis to the Somers Partners in Prevention to a three-year term ending December 31, 2023.

RESOLVED, that the Town Board does hereby authorize the re-appointment of Mr. Bruce Prince to the Somers Planning Board to a seven-year term ending December 31, 2029.

RESOLVED, that the Town Board does hereby authorize the appointment of Mr. Robert Castelli to the Town of Somers Assessment Board of Review to a 5-year term ending September 30, 2023.

Thereupon motion of Supervisor Scorrano, seconded Councilman Faulkner, it was unanimously,

RESOLVED, that the Town Board does hereby authorize the status change for Tammi Savva from provisional to probationary as a Junior Administrative Assistant full-time in the Office of the Supervisor per memo dated January 27, 2023 from Robert Scorrano, Supervisor effective January 20, 2023.

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

RESOLVED, that the Town Board does hereby authorize the re-appointment of Thomas Newman to the Somers Zoning Board of Appeals to a five-year term ending December 31, 2027.

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

RESOLVED, that the Town Board does hereby authorize the re-appointment of Melissa D'Ippolito to the Somers Zoning Board of Appeals to a five-year term ending December 31, 2027.

FEBRUARY 2, 2023 – WORK SESSION

Thereupon motion of Supervisor Scorrano, seconded Councilman Faulkner, it was unanimously,

RESOLVED, that the Town Board does hereby authorize the appointment of Paul Manuele to the Somers Library Board of Trustees to fill the second of two newly created positions on the Board for a five-year term effective January 1, 2023 and ending December 31, 2027.

This being a work session no further actions were taken.

Thereupon motion of Supervisor Scorrano, seconded by Councilman Ciriaco, the meeting was adjourned at 8:40 PM.

---

Town Clerk

Sent to:  
TB, TA, TC  
5/10/23  
KD

## DRAFT 2023 Preservation Month Comments

Somers joins communities across the country this month by declaring May “National Preservation Month.” This initiative was established more than 40 years ago by the National Trust for Historic Preservation to raise public awareness and support for the social and economic benefits of historic preservation.

It is natural and fitting to join this initiative since Somers Town government has supported historic preservation for decades, beginning with its acquisition of the Elephant Hotel as the seat of government in the 1920’s. Since that time, the town has built a portfolio of historic buildings, beginning with the Wright-Reis Homestead in 1967. Today, that portfolio includes three National Register sites and one National Historic Landmark, which is maintained primarily through taxpayer dollars and augmented with donations by civic groups and volunteers, such as the recent new Old Bet sculpture donation made to the Town by Somers Historical Society.

Equally significant, was the recognition by the Town of the historical significance of the roughly 56-acre Somers hamlet of which the Elephant Hotel, St. Luke’s Church and Bailey Park are focal points. First, the town amended its building code to reflect that historical significance in an effort to maintain the historic character by creating the Business Historic Preservation District (commonly referred to as the BHPD) And in a further step, on behalf of the Town my predecessor, the late Town Historian Florence “Mickey” Oliver, sought and gained National Register status for the Somers Hamlet, adding yet another distinction to our community and local businesses located within the BHPD.

We take pride in our Town government’s historic preservation efforts through the years and celebrate those achievements this month with this resolution.

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

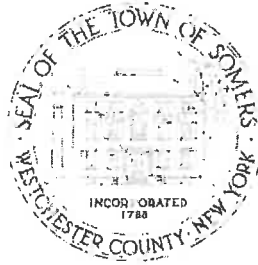
TOWN CLERK'S OFFICE

Town of Somers

WESTCHESTER COUNTY, N.Y.

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

PATRICIA KALEA  
TOWN CLERK



RESOLUTION

RESOLVED, that the Town Board does hereby declare May as Preservation Month, This Place Matters, in connection with National Trust for Historic Preservation.

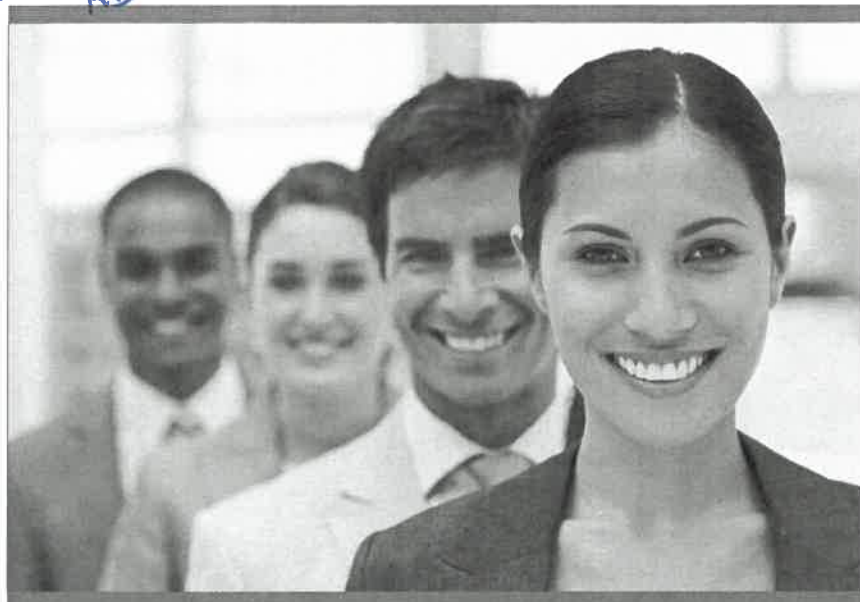
I hereby certify that the foregoing copy of resolution was unanimously adopted by the Town Board of the Town of Somers at a Regular Meeting held on .

Dated:

Town Clerk

Ec: Supervisor  
Director of Finance

Sent to:  
TB, TA, TC  
5/10/23  
KD



**It's renewal  
time!**

**Guardian is  
here to help.**

**RENEWAL INFORMATION FOR**

**TOWN OF SOMERS  
GROUP PLAN # 00486994**

**RENEWAL PERIOD  
April 1, 2023 - March 31, 2024**



[guardiananytime.com](http://guardiananytime.com)

The Guardian Life Insurance Company of America, New York, NY.

# What you'll find in this package

---

RENEWAL INFORMATION	PAGE
College Tuition Benefit Annual Statement	1
Renewal Rates At-a-Glance	5

Please note:

If your group plan includes multiple lines of coverage, a multi-line discount was used in the pricing. If you do not wish to renew all lines of coverage, please contact us for revised pricing.



[guardiananytime.com](http://guardiananytime.com)  
The Guardian Life Insurance Company of America, New York, NY.

## Participating Policy and Producer Compensation Disclosure Statement

### Participating Policy Statement:

Any commercial insurance group policy underwritten and issued by The Guardian Life Insurance Company of America, a New York Domiciled mutual company, is a participating policy. It is not expected, however, that a dividend will be paid on any such group policies. All coverage will be provided as set forth in the policies.

### Producer Compensation Disclosure:

As is common with Group insurance, your coverage(s) might involve one or more licensed producers who will receive compensation from Guardian for soliciting, negotiating, securing and/or administering the insurance coverage(s) you have purchased. Compensation to these producers may be paid in the form of base commissions, administrative service commissions and, in some instances, supplemental compensation (e.g., an annual performance bonus). For more detailed information regarding producer compensation relative to your Guardian coverage(s), please contact your Guardian local sales consultant or account manager.

Compensation is generated based upon premium which has been remitted by the planholder and applied by Guardian. Graded Commission scales, which can vary by product, are calculated based upon decremental scales (i.e. percentage payable decreases as defined premium thresholds are attained). Graded commission scales refresh annually upon each plan's anniversary. For DHMO, Supplemental Health, SMD and/or ASO Vision commission information, or for any other questions, please contact your local Guardian sales consultant or account manager.

If commissions are paid based on a percentage basis, the percentage is calculated monthly on enrolled lives, not eligible lives. Graded commission scales are calculated as a percentage of annual premium and are on a sliding scale.

Product	Commissions
Dental PPO	Graded Scale Commission



[guardiananytime.com](http://guardiananytime.com)

The Guardian Life Insurance Company of America, New York, NY.



### An Important Update on our College Tuition Benefit Program

A key element of our Group Benefits strategy is to enhance and expand our portfolio of products and services to support the well-being of our members. As part of this focus, we also continually evaluate our existing products and services, measuring their impact and seeing how well they align with our Purpose and strategy.

After an analysis of our current benefit offerings, we have decided to remove the College Tuition Benefit (CTB) from our portfolio and sharpen our focus to designing and delivering benefit solutions that meet the larger needs of our diverse customer base.

With this change:

- CTB will be removed from any of your aligned Guardian coverage(s) at your next **plan anniversary**. There is no action required on your part.
- After your next **plan anniversary**, employees registered with CTB will no longer accrue new Tuition Reward points. However, any earned Tuition Rewards points will not expire.
- Registered employees existing College Tuition accounts will remain active, and employees will continue to receive communications from SAGE if they have elected to do so.
- Registered employees can view their accounts, including reward balances and registered students at <https://www.tuitionrewards.com>
- Employees wishing to register and access their earned Tuition Rewards can do so by completing the following steps no later than 90 days after your upcoming anniversary date.
  - Go to <https://registration.collegetuitionbenefit.com/?ref=guardian>
  - User ID is your Guardian Group Plan Number
  - Password is Guardian
- Please share this information with your plan participants using the attached slip-sheet

If you are interested in continuing to offer College Tuition Benefit as part of your benefit package, please contact SAGE (CTB vendor) for the CTB Select direct purchase option by going to: <https://ctbselect.collegetuitionbenefit.com/hidden/sign-up/> or a SAGE team member can be reached at [ctbselect@collegetuitionbenefit.com](mailto:ctbselect@collegetuitionbenefit.com)

For questions about your existing Guardian College Tuition Benefit offering, please contact [admin@collegetuitionbenefit.com](mailto:admin@collegetuitionbenefit.com)

If you have questions about this notice, please contact us at 1-800- 627-4200.

Thank you for choosing Guardian. We are committed to providing you and your employees with access to quality benefit offerings that support and drive wellness and appreciate your business.





## An important update on our college savings program

Guardian's Group Benefits strives to enhance and expand our portfolio of products and services to support the well-being of our members. As part of this focus, we continually evaluate our existing products and services, measuring their impact and assessing their alignment with our purpose and strategy. After careful analysis, we have decided to discontinue the College Tuition Benefit (CTB) program as of December 31, 2022.



### With this update

- CTB will be removed from aligned Guardian coverages on your next plan anniversary.
- After your next anniversary date, employees registered for CTB will no longer accrue new Tuition Rewards Points.
- Any accrued Tuition Rewards Points for registered members will not expire.
- CTB accounts for employees registered in the program will remain active. Registered employees will continue to receive communications from CTB if they have elected to do so.

### How to access accrued CTB Tuition Rewards Points

- Registered employees can continue to view and manage their accounts, as they do today.
- Employees not currently registered, must do so by completing the following steps within 90 days post their group anniversary date.
  - Go to <https://registration.collegetuitionbenefit.com///?ref=guardian>
  - Click on register
  - User ID is your Guardian Group Plan Number
  - Password is Guardian

**For questions about the College Tuition Benefit offering, please contact SAGE directly at [admin@collegetuitionbenefit.com](mailto:admin@collegetuitionbenefit.com)**

The Guardian Life Insurance  
Company of America

[guardianlife.com](http://guardianlife.com)

New York, NY

2022-133985 (Exp. 2/24)

College Tuition Benefit is available for Guardian Dental, Vision with Davis Vision Network, Hospital Indemnity, LTD, STD, Life, Critical Illness, Cancer and Accident Insurance until December 31, 2022. Some plan exclusions may apply. The Tuition Rewards program is provided by SAGE CTB, LLC. Guardian does not provide any services related to this program. SAGE CTB, LLC is not a subsidiary or an affiliate of Guardian. Guardian reserves the right to discontinue the College Tuition Benefit program at any time without notice. College Tuition Benefit is not an insurance benefit and may not be available in all states.

## Renewal Rates At-a-Glance

---

This plan is currently offered for Insurance Class 1, 2 and 3

DENTAL PLAN RATES - PPO Q1					
Tier	Enrolled Employees	CURRENT		RENEWAL	
		Monthly Rate	Annual Premium	Monthly Rate	Annual Premium
EE	18	\$54.55	\$11,783	\$56.13	\$12,124
EE + 1	31	\$99.65	\$37,070	\$102.54	\$38,145
FAMILY	27	\$172.53	\$55,900	\$177.53	\$57,520
<b>TOTAL</b>	<b>76</b>		<b>\$104,752</b>		<b>\$107,789</b>

## Current Plan Benefits Summaries

CONTRACT TYPE: DENTAL GUARD 2000

This plan is currently offered for Insurance Class 1, 2 and 3

### PLAN BENEFITS SUMMARY

Network	In-Network DentalGuard Preferred	Out-of-Network None
<b>Coinsurance</b>		
Preventive	100%	100%
Basic	100%	80%
Major	60%	50%
<b>Deductible</b>		
Waived for preventive?	Yes	Yes
<b>Claim Payment Basis</b>		
	Fee Schedule	UCR 90%
<b>Maximum</b>		
	\$2,000	\$1,500
<b>Orthodontia</b>		
	Included	
Lifetime Maximum	\$1,500	
Coinsurance	50%	
<b>Maximum Rollover</b>		
Threshold		N/A
Rollover Amount		N/A
In-network only rollover		N/A
Max Rollover Limit		N/A
<b>Dependent Age Limit</b>		20/26

Plan information is for illustrative purposes only. Please consult plan contract for specific benefit levels.

## Action Needed For Your Guardian Coverage

### **Renewal Census Required**

In order to meet our contractual renewal notice deadline, your plan was renewed based upon the most recent census information we had on file. However, it is important that we maintain accurate salary and census information. Please take this crucial step now to ensure employees receive the maximum coverage they are entitled to under any Guardian salary-based programs.

We have an easy and secure way to view and update employees' salaries using our Enrollment Mapping and Management Application (EMMA). Simply follow the steps below.

#### **Viewing Salary Census Report:**

You can find a report of current employees and their salaries by visiting EMMA.

1. Navigate to <https://signin.guardianlife.com/signin>
2. Go to the Members tab
3. Choose the Update multiple members page
4. Click the Launch EMMA button
5. Click Start the download process
6. Click Salary census and enter the date range that you would like to include and click download.

#### **Updating Employees' Salaries:**

You can update multiple salaries by simply uploading an updated census back into EMMA. Follow the above steps to Launch EMMA then click Start the upload process, select Salary census and then Continue. EMMA will then walk you through any additional steps needed.

Sent to:  
TB, TA, TC  
5/5/23  
KD

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:** May 5, 2023

**To:** Robert Scorrano  
Supervisor

**From:** Steven Woelfle SW  
Engineering Department

**RE:** S.M.P. Homes, Inc./Michael Panny  
Stormwater Facility Maintenance Agreement  
Tax Map 37.15-1-22.2

---

Pursuant to Resolution No. 2018-03 of the Town of Somers Planning Board, please find the proposed Stormwater Facility Maintenance Agreement for S.M.P. Homes, Inc/Michael Panny, 2670 Route 35 (Arnawalk Road).

The original for signature will be held in the Engineering Office.

The TP-584/PREP and filing fee will be provided and submitted at time of filing by the applicant.

Proof of recording will need to be provided prior to issuance of Certificate of Occupancy.

SW/wg

cc: Town Clerk  
Town Attorney  
Michael Panny

SomersNY-P&E - Documents\Environmental files\Steep Slopes\SMP Homes 37.15-1-22.2 TB memo - SFMA.doc

**Stormwater Facility Maintenance Agreement**  
**2670 Amawalk Road**  
**Section 37.15, Block 1, Lot 22.2**  
**Somers (T)**

Whereas, the Town of Somers, County of Westchester, State of New York ("Municipality") and S.M.P. Homes, Inc. ("property owner") want to enter into an agreement to provide for the long-term maintenance and continuation of stormwater control measures approved by the Municipality for the above-named project, and

Whereas, the Municipality and the property owner desire that the stormwater control measures be built in accordance with the approved project plans including:

The installation of twelve (12) infiltrators

and thereafter be maintained, cleaned, repaired, replaced and continued in perpetuity in order to ensure optimum performance of the components.

Therefore, the Municipality and the property owner agree as follows:

1. This agreement inures to the benefit of the Municipality and binds the property owner, its successors and assigns, to the maintenance provisions depicted in the approved project plans which are referenced in this agreement.
2. The property owner shall maintain, clean, repair, replace and continue the stormwater control measures depicted in the approved project plans as necessary to ensure optimum performance of the measures to design specifications. The stormwater control measures shall include, but shall not be limited to, the following: drainage ditches, swales, infiltrators, pretreatment structures, drop inlets, pipes, culverts, soil absorption devices and retention ponds/rain gardens.
3. The property owner shall be responsible for all expenses related to the maintenance of the stormwater control measures.
4. The property owner shall provide for the periodic inspection of the stormwater control measures, not less than once in every five-year period, to determine the condition and integrity of the measures. Such inspection shall be performed by a professional engineer licensed by the State of New York. The inspecting engineer shall prepare and submit to the Municipality, within 30 days of the inspection, a written report of the findings, including recommendations for those actions necessary for the continuation of the stormwater control measures.
5. The property owner shall not authorize, undertake or permit alteration, abandonment, modification or discontinuation of the stormwater control measures except in accordance with written approval of the Municipality.
6. The property owner shall undertake necessary repairs and replacement of the stormwater control measures at the direction of the Municipality or in accordance with the recommendations of the inspecting engineer.
7. This agreement shall be recorded in the Office of the County Clerk, County of Westchester together with the deed for the subject premises.

8. In the event that the Municipality determines that the property owner has failed to construct or maintain the stormwater control measures in accordance with the project plan or has failed to undertake corrective action specified by the Municipality or by the inspecting engineer, the Municipality shall be granted a temporary easement to enter the property and is authorized to undertake such steps as reasonably necessary for the preservation, continuation or maintenance of the stormwater control measures and to affix the expenses thereof as a lien against the property.
9. Nothing within this agreement shall be construed to impose any affirmative obligation or covenant of performance on the Municipality.
10. This agreement is effective May 1, 2023.

**Property Owner:** S.M.P. Homes, Inc.

**Owner's Representative:** Michael Panny, President

**Representative Signature:** \_\_\_\_\_

**ACKNOWLEDGEMENTS**

STATE OF \_\_\_\_\_ :  
COUNTY OF \_\_\_\_\_ : SS.:

On the \_\_\_\_\_ day of \_\_\_\_\_, in the year 2023 before me, the undersigned, personally appeared \_\_\_\_\_ personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual(s) or the person upon behalf of which the individual(s) acted, executed the instrument.

\_\_\_\_\_  
Notary Public

**Town Supervisor Signature:** \_\_\_\_\_  
**Honorable Robert Scorrano**

**ACKNOWLEDGEMENTS**

STATE OF \_\_\_\_\_ :  
COUNTY OF \_\_\_\_\_ : SS.:

On the \_\_\_\_\_ day of \_\_\_\_\_, in the year 2023 before me, the undersigned, personally appeared \_\_\_\_\_ personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual(s) or the person upon behalf of which the individual(s) acted, executed the instrument.

\_\_\_\_\_  
Notary Public

**Record and Return to:**  
**Town of Somers**  
**Planning & Engineering Dept.**  
**335 Route 202**  
**Somers, New York 10589**

Sent to:  
TB, TA, TC  
4/24/23  
KD

PLANNING AND ENGINEERING DEPARTMENTS

Telephone  
(914) 277-5866  
Fax  
(914) 277-4098

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

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

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



David B. Smith  
Town Planner  
[directorofplanning@somersny.com](mailto:directorofplanning@somersny.com)

Date: April 28, 2023  
To: Director of Finance T10(910)  
From: Steven Woelfle *SW*  
Engineering Department  
RE: North County Homes  
94 Warren Street/Smith Lane  
TM: 6.14-1-47  
Performance/Maintenance Bond

Attached is a check in the amount of \$1,500.00 posted by North County Homes, Inc., 156 Tomahawk Street, Yorktown Heights, NY 10598 in payment of a Performance/Maintenance Bond for 94 Warren Street/Smith Lane.

Please deposit into a Trust & Agency Account.

Att.  
cc: Town Board  
Town Clerk



Sent to:  
TB, TA, TC  
5/5/23  
KD

PLANNING AND ENGINEERING DEPARTMENTS

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

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

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



David B. Smith  
Town Planner  
[directorofplanning@somersny.com](mailto:directorofplanning@somersny.com)

**Date:** May 1, 2023  
**To:** Town Board  
**From:** Steven Woelfle *SW*  
Engineering Department  
**RE:** The Paramount at Somers Site Plan  
TM: 28.17-1-19.1  
Release of Erosion Control Bond  
Check Received November 5, 2020

This office has no objection to the return of the Erosion Control Bond in the amount of \$450.00.

Please return to:

The Paramount at Somers Rehabilitation  
And Nursing Center  
189 Route 100  
Somers, NY 10589

SW/wg

cc: Town Clerk  
Director of Finance  
The Paramount at Somers

Sent to:  
FB, TA, TC  
5/10/23  
KO

Supervisor  
ROBERT SCORRANO

Town Council  
ANTHONY J. CIRIECO  
RICHARD CLINCHY  
WILLIAM FAULKNER  
THOMAS A. GARRITY

Town Clerk  
PATRICIA KALBA

TOWN BOARD

Town of Somers

WESTCHESTER COUNTY, N.Y.



SOMERS TOWN HOUSE  
335 ROUTE 202  
SOMERS, NY 10589  
(914) 277-3637  
(914) 277-3323  
FAX (914) 276-0082

May 10, 2023

New York State Department of Environmental Conservation- Central Office  
Division of Water-4<sup>th</sup> Floor  
625 Broadway  
Albany, NY 12233-3505

Dear MS4 Permit Coordinator:

Enclosed you will find the following in relation to the Town of Somers Phase II Stormwater Annual Report covering the MS4 reporting period of March 10, 2022 through March 9, 2023 of the Phase II Stormwater Program:

- Municipal Compliance Certification Form;
- Stormwater Management Program Annual Report (SWMPAR);
- Stormwater Management Program Annual Report Presentation

The Town's annual report and annual report presentation are available for viewing on the Town of Somers website. If you have any questions or concerns, please do not hesitate to contact me at (914) 277-3637.

Sincerely,

Robert Scorrano  
Town Supervisor

Att.  
ecc: Town Board  
Town Clerk

<b>MCC form for period ending March 9,</b>	2	0	2	3
--	---	---	---	---

SPDES ID							
N	Y	R	2	0	A	4	05

☒ This report is being submitted on behalf of an individual MS4.

Name of MS4

[illegible]

☐ **This report is being submitted on behalf of a Single Entity**

Name of Single Entity

[illegible]

☐ **This is a joint report being submitted on behalf of a coalition.**

Name of Coalition

[illegible]

N	Y	R	2	0	A			
---	---	---	---	---	---	--	--	--

N	Y	R	2	0	A			
---	---	---	---	---	---	--	--	--

N	Y	R	2	0	A			
---	---	---	---	---	---	--	--	--

N	Y	R	2	0	A			
---	---	---	---	---	---	--	--	--

N	Y	R	2	0	A			
---	---	---	---	---	---	--	--	--

N	Y	R	2	0	A			
---	---	---	---	---	---	--	--	--

N	Y	R	2	0	A			
---	---	---	---	---	---	--	--	--

N	Y	R	2	0	A			
---	---	---	---	---	---	--	--	--

N	Y	R	2	0	A			
---	---	---	---	---	---	--	--	--

N	Y	R	2	0	A			
---	---	---	---	---	---	--	--	--

N	Y	R	2	0	A			
---	---	---	---	---	---	--	--	--

N	Y	R	2	0	A			
---	---	---	---	---	---	--	--	--

N	Y	R	2	0	A			
---	---	---	---	---	---	--	--	--

N	Y	R	2	0	A			
---	---	---	---	---	---	--	--	--

N	Y	R	2	0	A			
---	---	---	---	---	---	--	--	--

N	Y	R	2	0	A			
---	---	---	---	---	---	--	--	--

N	Y	R	2	0	A			
---	---	---	---	---	---	--	--	--

N	Y	R	2	0	A			
---	---	---	---	---	---	--	--	--

**MS4 Annual Report Cover Page**MCC form for period ending March 9, 

2	0	2	3
---	---	---	---

Provide SPDES ID of each permitted MS4 included in this report.

SPDES ID

N	Y	R	2	0	A			
---	---	---	---	---	---	--	--	--

SPDES ID

N	Y	R	2	0	A			
---	---	---	---	---	---	--	--	--

SPDES ID

N	Y	R	2	0	A			
---	---	---	---	---	---	--	--	--

SPDES ID

N	Y	R	2	0	A			
---	---	---	---	---	---	--	--	--

SPDES ID

N	Y	R	2	0	A			
---	---	---	---	---	---	--	--	--

SPDES ID

N	Y	R	2	0	A			
---	---	---	---	---	---	--	--	--

SPDES ID

N	Y	R	2	0	A			
---	---	---	---	---	---	--	--	--

SPDES ID

N	Y	R	2	0	A			
---	---	---	---	---	---	--	--	--

SPDES ID

N	Y	R	2	0	A			
---	---	---	---	---	---	--	--	--

SPDES ID

N	Y	R	2	0	A			
---	---	---	---	---	---	--	--	--

SPDES ID

N	Y	R	2	0	A			
---	---	---	---	---	---	--	--	--

SPDES ID

N	Y	R	2	0	A			
---	---	---	---	---	---	--	--	--

SPDES ID

N	Y	R	2	0	A			
---	---	---	---	---	---	--	--	--

SPDES ID

N	Y	R	2	0	A			
---	---	---	---	---	---	--	--	--

SPDES ID

N	Y	R	2	0	A			
---	---	---	---	---	---	--	--	--

SPDES ID

N	Y	R	2	0	A			
---	---	---	---	---	---	--	--	--

SPDES ID

N	Y	R	2	0	A			
---	---	---	---	---	---	--	--	--

SPDES ID

N	Y	R	2	0	A			
---	---	---	---	---	---	--	--	--

SPDES ID

N	Y	R	2	0	A			
---	---	---	---	---	---	--	--	--

SPDES ID

N	Y	R	2	0	A			
---	---	---	---	---	---	--	--	--

SPDES ID

N	Y	R	2	0	A			
---	---	---	---	---	---	--	--	--

SPDES ID

N	Y	R	2	0	A			
---	---	---	---	---	---	--	--	--

SPDES ID

N	Y	R	2	0	A			
---	---	---	---	---	---	--	--	--

SPDES ID

N	Y	R	2	0	A			
---	---	---	---	---	---	--	--	--

SPDES ID

N	Y	R	2	0	A			
---	---	---	---	---	---	--	--	--

SPDES ID

N	Y	R	2	0	A			
---	---	---	---	---	---	--	--	--

SPDES ID

N	Y	R	2	0	A			
---	---	---	---	---	---	--	--	--

SPDES ID

N	Y	R	2	0	A			
---	---	---	---	---	---	--	--	--

SPDES ID

N	Y	R	2	0	A			
---	---	---	---	---	---	--	--	--

SPDES ID

N	Y	R	2	0	A			
---	---	---	---	---	---	--	--	--

SPDES ID

N	Y	R	2	0	A			
---	---	---	---	---	---	--	--	--

SPDES ID

N	Y	R	2	0	A			
---	---	---	---	---	---	--	--	--

SPDES ID

N	Y	R	2	0	A			
---	---	---	---	---	---	--	--	--

SPDES ID

N	Y	R	2	0	A			
---	---	---	---	---	---	--	--	--

SPDES ID

N	Y	R	2	0	A			
---	---	---	---	---	---	--	--	--

SPDES ID

N	Y	R	2	0	A			
---	---	---	---	---	---	--	--	--

SPDES ID

N	Y	R	2	0	A			
---	---	---	---	---	---	--	--	--

SPDES ID

N	Y	R	2	0	A			
---	---	---	---	---	---	--	--	--

SPDES ID

N	Y	R	2	0	A			
---	---	---	---	---	---	--	--	--

SPDES ID

N	Y	R	2	0	A			
---	---	---	---	---	---	--	--	--

SPDES ID

N	Y	R	2	0	A			
---	---	---	---	---	---	--	--	--

SPDES ID

N	Y	R	2	0	A			
---	---	---	---	---	---	--	--	--

SPDES ID

N	Y	R	2	0	A			
---	---	---	---	---	---	--	--	--

SPDES ID

N	Y	R	2	0	A			
---	---	---	---	---	---	--	--	--

SPDES ID

N	Y	R	2	0	A			
---	---	---	---	---	---	--	--	--

SPDES ID

N	Y	R	2	0	A			
---	---	---	---	---	---	--	--	--

SPDES ID

N	Y	R	2	0	A			
---	---	---	---	---	---	--	--	--

SPDES ID

N	Y	R	2	0	A			
---	---	---	---	---	---	--	--	--

SPDES ID

N	Y	R	2	0	A			
---	---	---	---	---	---	--	--	--

SPDES ID

N	Y	R	2	0	A			
---	---	---	---	---	---	--	--	--

SPDES ID

N	Y	R	2	0	A			
---	---	---	---	---	---	--	--	--

SPDES ID

N	Y	R	2	0	A			
---	---	---	---	---	---	--	--	--

SPDES ID

N	Y	R	2	0	A			
---	---	---	---	---	---	--	--	--

SPDES ID

N	Y	R	2	0	A			
---	---	---	---	---	---	--	--	--

## MS4 Municipal Compliance Certification(MCC) Form

MCC form for period ending March 9, 2023

Name of MS4

## Town of Somers

SPDES ID

N	Y	R	2	0	A	4	0	5
---	---	---	---	---	---	---	---	---

Each MS4 must submit an MCC form.

## Section 1 - MCC Identification Page

Indicate whether this MCC form is being submitted to certify endorsement or acceptance of:

- An Annual Report for a single MS4
- A Single Entity (Per Part II.E of GP-0-10-002)
- A Joint Report

Joint reports may be submitted by permittees with legally binding agreements.

If Joint Report, enter coalition name:

[illegible]

**MS4 Municipal Compliance Certification(MCC) Form**

MCC form for period ending March 9, 2 0 2 3

Name of MS4 Town of Somers

SPDES ID

N Y R 2 0 A 4 0 5

**Section 2 - Contact Information**

Important Instructions - Please Read

Contact information must be provided for ***each*** of the following positions as indicated below:

1. Principal Executive Officer, Chief Elected Official or other qualified individual (per GP-0-08-002 Part VI.J).
2. Duly Authorized Representative (Information for this contact must only be submitted if a Duly Authorized Representative is signing this form)
3. The Local Stormwater Public Contact (required per GP-0-08-002 Part VII.A.2.c & Part VIII.A.2.c).
4. The Stormwater Management Program (SWMP) Coordinator (Individual responsible for coordination/implementation of SWMP).
5. Report Preparer (Consultants may provide company name in the space provided).

A separate sheet must be submitted for each position listed above unless more than one position is filled by the same individual. If one individual fills multiple roles, provide the contact information once and check all positions that apply to that individual.

If a new Duly Authorized Representative is signing this report, their contact information must be provided and a signature authorization form, signed by the Principal Executive Officer or Chief Elected Official must be attached.

For each contact, select all that apply:

- ☒ Principal Executive Officer/Chief Elected Official
- ☒ Duly Authorized Representative
- ☒ Local Stormwater Public Contact
- ☒ Stormwater Management Program (SWMP) Coordinator
- ☐ Report Preparer

First Name

R o b e r t

MI

Last Name

S c o r r a n o

Title

S u p e r v i s o r

Address

3 3 5 R o u t e 2 0 2

City

S o m e r s

State

N Y

Zip

1 0 5 8 9 -

eMail

s u p e r v i s o r @ s o m e r s n y . c o m

Phone

( 9 1 4 ) 2 7 7 - 3 6 3 7

County

W e s t c h e s t e r

**MS4 Municipal Compliance Certification (MCC) Form**

MCC form for period ending March 9, 2 0 2 3

Name of MS4 Town of Somers

SPDES ID

N Y R 2 0 A 4 0 5

**Section 3 - Partner Information**

Did your MS4 work with partners/coalition to complete some or all permit requirements during this reporting period?

☒ Yes ☐ No

If Yes, complete information below.

Submit a separate sheet for each partner. Information provided in other formats will not be accepted. If your MS4 cooperated with a coalition, submit one sheet with the name of the coalition. It is not necessary to include a separate sheet for each MS4 in the coalition.

If No, proceed to Section 4 - Certification Statement.

Partner/Coalition Name

C r o t o n K e n s i c o W a t e r s h e d I n t e r -

Partner/Coalition Name (con't.)

m u n i c i p a l c o a l i t i o n

SPDES Partner ID - If applicable

N Y R 2 0

Address

3 3 5 R o u t e 2 0 2

City

S o m e r s

State

N Y

Zip

1 0 5 8 9 -

eMail

d i r e c t o r o f p l a n n i n g @ s o m e r s n y . c o m

Phone

( 9 1 4 ) 2 7 7 - 5 3 6 6

Legally Binding Agreement in accordance  
with GP-0-08-002 Part IV.G.?

☐ Yes ☐ No

What tasks/responsibilities are shared with this partner (e.g. MM1 School Programs or Multiple Tasks)?

☒ MM1 m u l t i p l e t a s k s

☒ MM2 m u l t i p l e t a s k s

☐ MM3

☐ MM4

☐ MM5

☐ MM6

Additional tasks/responsibilities

- ☐ *Watershed Improvement Strategy Best Management Practices* required for MS4s in impaired watersheds included in GP-0-08-002 Part IX.

Posting of PSA's (phosphorus), Education website (phosphorus), pet waste pick up campaign, education flyers re: salt/water quality, etc.

## MS4 Municipal Compliance Certification(MCC) Form

MCC form for period ending March 9, 2023

Name of MS4	Town of Somers
-------------	----------------

SPDES ID

N	Y	R	2	0	A	4	0	5
---	---	---	---	---	---	---	---	---

## **Section 4 - Certification Statement**

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

This form must be signed by either a principal executive officer or ranking elected official, or duly authorized representative of that person as described in GP-0-08-002 Part VI.J.

First Name

[illegible]

MI

[illegible]

Last Name

S	c	o	r	r	a	n	o								
---	---	---	---	---	---	---	---	--	--	--	--	--	--	--	--

Title (Clearly print title of individual signing report)

[illegible]

Signature

Date \_\_\_\_\_

--	--

 / 

--	--

 / 

--	--	--	--

The annual report form and any attachments can be sent to the DEC Central Office clicking the Submit Form link below, or by sending it directly to: [MS4compliance@dec.ny.gov](mailto:MS4compliance@dec.ny.gov). All submissions must include the SPDES ID in the title and must be complete before hitting the Submit Form link below:

## Submit Form

**If unable to submit electronically, hardcopy submissions can be sent to:**

**Bureau of Water Compliance  
Division of Water  
4th Floor  
625 Broadway  
Albany, New York 12233-3505**



**MS4 Annual Report Form**

**This report is being submitted for the reporting period ending March 9, 2023**

If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition

## Town of Spomers

SPDES ID

N	Y	R	2	0	A	4	0	5
---	---	---	---	---	---	---	---	---

## Water Quality Trends

The information in this section is being reported (check one):

- ☒ On behalf of an individual MS4  
☐ On behalf of a coalition

How many MS4s are contributed to this report?

- 1. Has this MS4/Coalition produced any reports documenting water quality trends related to stormwater? If not, answer No and proceed to Minimum Control Measure One.** ☐ Yes

☐ Yes    ☒ No

If Yes, choose one of the following

- ☐ Report(s) attached to the annual report
- ☐ Web Page(s) where report(s) is/are provided below

Please provide specific address of page where report(s) can be accessed - not home page.

URL

[illegible]

URL

[illegible]

URL

[illegible]

URL

[illegible]

## MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9, 

2	0	2	3
---	---	---	---

If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition

Town of Somers

SPDES ID

N	Y	R	2	0	A	4	0	5
---	---	---	---	---	---	---	---	---

### Minimum Control Measure 1. Public Education and Outreach

The information in this section is being reported (check one):

- ☒ On behalf of an individual MS4  
☐ On behalf of a coalition

How many MS4s contributed to this report?

--	--	--

#### 1. Targeted Public Education and Outreach Best Management Practices

Check all topics that were included in Education and Outreach during this reporting period:

- |   |  |
|---|--|
| <input checked="" type="radio"/> Construction Sites<br><input type="radio"/> General Stormwater Management Information<br><input type="radio"/> Household Hazardous Waste Disposal<br><input checked="" type="radio"/> Illicit Discharge Detection and Elimination<br><input type="radio"/> Infrastructure Maintenance<br><input type="radio"/> Smart Growth<br><input type="radio"/> Storm Drain Marking<br><input checked="" type="radio"/> Green Infrastructure/Better Site Design/Low Impact Development<br><input checked="" type="radio"/> Other: | <input type="radio"/> Pesticide and Fertilizer Application<br><input checked="" type="radio"/> Pet Waste Management<br><input type="radio"/> Recycling<br><input type="radio"/> Riparian Corridor Protection/Restoration<br><input type="radio"/> Trash Management<br><input type="radio"/> Vehicle Washing<br><input type="radio"/> Water Conservation<br><input checked="" type="radio"/> Wetland Protection<br><input type="radio"/> None |
|---|--|

P	h	o	s	p	h	o	r	u	s	,		s	i	l	t	,		s	e	d	i	m	e	n	t												
---	---	---	---	---	---	---	---	---	---	---	--	---	---	---	---	---	--	---	---	---	---	---	---	---	---	--	--	--	--	--	--	--	--	--	--	--	--

Other

#### 2. Specific audiences targeted during this reporting period:

- |   |   |
|---|---|
| <input checked="" type="radio"/> Public Employees<br><input checked="" type="radio"/> Residential<br><input type="radio"/> Businesses<br><input type="radio"/> Restaurants<br><input checked="" type="radio"/> Other: | <input checked="" type="radio"/> Contractors<br><input checked="" type="radio"/> Developers<br><input type="radio"/> General Public<br><input type="radio"/> Industries<br><input type="radio"/> Agricultural |
|---|---|

B	o	a	r	d			a	n	d			C	o	m	m	i	t	t	e			m	e	m	b	e	r	s										
---	---	---	---	---	--	--	---	---	---	--	--	---	---	---	---	---	---	---	---	--	--	---	---	---	---	---	---	---	--	--	--	--	--	--	--	--	--	--

Other

### MS4 Annual Report Form

**This report is being submitted for the reporting period ending March 9,**

2	0	2	3
---	---	---	---

If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition

Town of Somers

SPDES ID

N	Y	R	2	0	A	4	0	5
---	---	---	---	---	---	---	---	---

**3. What strategies did your MS4/Coalition use to achieve education and outreach goals during this reporting period? Check all that apply:**

☒ Construction Site Operators Trained

# Trained

				0
--	--	--	--	---

☐ Direct Mailings

# Mailings

--	--	--	--	--

☐ Kiosks or Other Displays

# Locations

--	--	--	--	--

☐ List-Serves

# In List

--	--	--	--	--

☐ Mailing List

# In List

--	--	--	--	--

☐ Newspaper Ads or Articles

# Days Run

--	--	--	--	--

☒ Public Events/Presentations

# Attendees

			2	5
--	--	--	---	---

☐ School Program

# Attendees

--	--	--	--	--

☒ TV Spot/Program

# Days Run

			3	1
--	--	--	---	---

☐ Printed Materials:

Total # Distributed

--	--	--	--	--

Locations (e.g. libraries, town offices, kiosks)


☐ Other:

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

☐ Web Page: Provide specific web addresses - not home page. Continue on next page if additional space is needed.

URL

h	t	t	p	:	/	/	w	w	w	.	s	o	m	e	r	s	n	y	.	c	o	m	/	p	a	g	e	s			
s	o	m	e	r	s	n	y				p	l	a	n	n	i	n	g	/	s	t	o	r	m	w	a	t	e	r		

URL


N	Y	R	2	0	A	4	0	5
---	---	---	---	---	---	---	---	---

URL

[illegible]

URL

[illegible]

URL

[illegible]

URL

[illegible]

URL

[illegible]

URL

[illegible]

URL

[illegible]

### MS4 Annual Report Form

**This report is being submitted for the reporting period ending March 9,**

2	0	2	3
---	---	---	---

If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition

Town of Somers

SPDES ID

N	Y	R	2	0	A	4	0	5
---	---	---	---	---	---	---	---	---

#### 4. Evaluating Progress Toward Measurable Goals MCM 1

Use this page to report on your progress and project plans toward achieving measurable goals identified in your Stormwater Management Program Plan (SWMPP), including requirements in Part III.C.1. Submit additional pages as needed.

##### A. Briefly summarize the Measurable Goal identified in the SWMPP in this reporting period.

Incorporation of low impact development techniques and best management practices into applications regarding environmental permits, site plans and subdivisions. Education regarding phosphorus impacts to water quality from septic systems and lawn/landscaping practices is also included in permit decisions.

##### B. Briefly summarize the observations that indicated the overall effectiveness of this Measurable Goal.

The Planning & Engineering Dept. undertakes environmental determinations, and reviews applications for environmental permitting (steep slopes, wetland, stormwater & erosion and sediment control, land disturbance, etc.) and land development (subdivisions and site plans). Since the implementation of the Town's outreach and education program, these submissions include consideration of water quality best management practices and low impact development techniques.

##### C. How many times was this observation measured or evaluated in this reporting period?

		3	0
--	--	---	---

(ex.: samples/participants/events)

##### D. Has your MS4 made progress toward this Measurable Goal during this reporting period?

☒ Yes   ☐ No

##### E. Is your MS4 on schedule to meet the deadline set forth in the SWMPP?

☒ Yes   ☐ No

##### F. Briefly summarize the stormwater activities planned to meet the goals of this MCM during the next reporting cycle (including an implementation schedule).

The Town uses website and cable access T.V. channel to get the message out. E-blasts are also utilized.

## MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9, 

2	0	2	3
---	---	---	---

If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition

Town of Somers

SPDES ID

N	Y	R	2	0	A	4	0	5
---	---	---	---	---	---	---	---	---

### Minimum Control Measure 2. Public Involvement/Participation

The information in this section is being reported (check one):

☒ On behalf of an individual MS4

☐ On behalf of a coalition

How many MS4s contributed to this report? 

--	--	--

**1. What opportunities were provided for public participation in implementation, development, evaluation and improvement of the Stormwater Management Program (SWMP) Plan during this reporting period? Check all that apply:**

☒ Cleanup Events

# Events

				3
--	--	--	--	---

☐ Comments on SWMP Received

# Comments

☒ Community Hotlines

Phone #

( 

--	--	--

 ) 

--	--	--	--

 - 

--	--	--	--

Phone # ( 

9	1	4
---	---	---

 ) 

2	7	7
---	---	---

 - 

5	3	6	6
---	---	---	---

Phone # ( 

--	--	--

 ) 

--	--	--	--

 - 

--	--	--	--

Phone # ( 

--	--	--

 ) 

--	--	--

 - 

--	--	--	--

Phone # ( 

--	--	--

 ) 

--	--	--	--

 - 

--	--	--	--

Phone # ( 

--	--	--

 ) 

--	--	--

 - 

--	--	--	--

Phone # ( 

--	--	--

 ) 

--	--	--	--

 - 

--	--	--	--

Phone # ( 

--	--	--

 ) 

--	--	--

 - 

--	--	--	--

Phone # ( 

--	--	--

 ) 

--	--	--	--

 - 

--	--	--	--

Phone # ( 

--	--	--

 ) 

--	--	--

 - 

--	--	--	--

Phone # ( 

--	--	--

 ) 

--	--	--	--

 - 

--	--	--	--

☒ Community Meetings

# Attendees

				2	5
--	--	--	--	---	---

☐ Plantings

Sq. Ft.

☐ Storm Drain Markings

# Drains

☐ Stakeholder Meetings

# Attendees

☐ Volunteer Monitoring

# Events

☒ Other: P u b l i c m e e t i n g

**2. Was public notice of availability of this annual report and Stormwater Management Program (SWMP) Plan provided?**

☒ Yes ☐ No

☐ List-Serve

# In List

☐ Newspaper Advertising

# Days Run

☒ TV/Radio Notices

# Days Run

				3	1
--	--	--	--	---	---

☒ Other: T o w n B o a r d m e e t i n g

☒ Web Page URL: Enter URL(s) on the following two pages.

## MS4 Annual Report Form

**This report is being submitted for the reporting period ending March 9,**

2	0	2	3
---	---	---	---

If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition

Town of Somers

SPDES ID

N	Y	R	2	0	A	4	0	5
---	---	---	---	---	---	---	---	---

### 2. URL(s) con't.:

**Please provide specific address(es) where notice(s) can be accessed - not home page.**

URL

h	t	t	p	:	/	/	w	w	w	.	s	o	m	e	r	s	n	y	.	c	o	m	/	p	a	g	e	s	/		
s	o	m	e	r	s	n	y		/	P	l	a	n	n	i	n	g	/	S	t	o	r	m	w	a	t	e	r			

URL

h	t	t	p	:	/	/	w	w	w	.	s	o	m	e	r	s	n	y	.	c	o	m	/	p	a	g	e	s	/		
s	o	m	e	r	s	m	e	e	t	i	n	g	v	i	d	e	o	s	/	t	m	v	i	d	e	o	s				

URL

h	t	t	p	:	/	/	w	w	w	.	s	o	m	e	r	s	n	y	.	c	o	m	/	p	a	g	e	s	/		
s	o	m	e	r	s	N	Y		w	e	b	d	o	c	s	/	m	i	n	a	g	e	n	d	a						

URL


URL


URL


URL


# MS4 Annual Report Form

**This report is being submitted for the reporting period ending March 9, 2023**

If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition

## Town of Somers

SPDES ID

N	Y	R	2	0	A	4	0	5
---	---	---	---	---	---	---	---	---

**2. URL(s) con't.:**

**Please provide specific address(es) where notices can be accessed - not home page.**

URL

[illegible]

URL

[illegible]

URL

[illegible]

URL

[illegible]

URL

[illegible]

URL

[illegible]

URL

[illegible]





**MS4 Annual Report Form**

This report is being submitted for the reporting period ending March 9, 

2	0	2	3
---	---	---	---

If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition

Town of Somers

SPDES ID

N	Y	R	2	0			
---	---	---	---	---	--	--	--

**4.a. If this report was made available on the internet, what date was it posted?**

Leave blank if this report was not posted on the internet.

0	4
---	---

 / 

2	1
---	---

 / 

2	0	2	3
---	---	---	---

**4.b. For how many days was/will this report be posted?**

3	6	5
---	---	---

If submitting a report for single MS4, answer 5.a.. If submitting a joint report, answer 5.b..

**5.a. Was an Annual Report public meeting held in this reporting period?**

☒ Yes ☐ No

If Yes, what was the date of the meeting?

	5
--	---

 / 

	4
--	---

 / 

2	0	2	3
---	---	---	---

If No, is one planned?

☐ Yes ☐ No

**5.b. Was an Annual Report public meeting held for all MS4s contributing to this report during this reporting period?**

☒ Yes ☐ No

If No, is one planned for each?

☐ Yes ☐ No

**6. Were comments received during this reporting period?**

☐ Yes ☒ No

If Yes, attach comments, responses and changes made to SWMP in response to comments to this report.

**MS4 Annual Report Form**

This report is being submitted for the reporting period ending March 9, 

2	0	2	3
---	---	---	---

If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition

Town of Somers

SPDES ID

N	Y	R	2	0	A	4	0	5
---	---	---	---	---	---	---	---	---

**7. Evaluating Progress Toward Measurable Goals MCM 2**

Use this page to report on your progress and project plans toward achieving measurable goals identified in your Stormwater Management Program Plan (SWMPP), including requirements in Part III.C.1. Submit additional pages as needed.

**A. Briefly summarize the Measurable Goal identified in the SWMPP in this reporting period.**

Involvement in public hearings, submission of comments regarding development applications, participation in Town-Wide Clean-up, education of contractors at construction sites and education of applicants through environmental determination process and permitting process and site plan and subdivision approval process.

**B. Briefly summarize the observations that indicated the overall effectiveness of this Measurable Goal.**

Seven public hearings were held during the reporting period relative to projects reviewed. Comments related to stormwater quality were made at five of the public hearings. The public hearings are related to site plan and preliminary and final subdivision approval, wetland permit approvals. There was no specific Earth Day celebration. Due to Covid-19, the Somers Recycling Day was canceled. However, there was a Spring Litter Clean Up on March 2022 and a Fall Litter Clean Up on October 2022. A total of 180 bags of debris were collected. No Town collection.

**C. How many times was this observation measured or evaluated in this reporting period?**

	1	0	0
--	---	---	---

(ex.: samples/participants/events)

**D. Has your MS4 made progress toward this measurable goal during this reporting period?**
☒ Yes   ☐ No
**E. Is your MS4 on schedule to meet the deadline set forth in the SWMPP?**
☒ Yes   ☐ No
**F. Briefly summarize the stormwater activities planned to meet the goals of this MCM during the next reporting cycle (including an implementation schedule).**

Continue to disseminate information, conduct town-wide clean-up, continue contractor education on site and provide education to applicants for environmental permits and site plan and subdivision applications.

## MS4 Annual Report Form

**This report is being submitted for the reporting period ending March 9, 2 0 2 3**

If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition	Town of Somers
-----------------------	----------------

SPDES ID

N	Y	R	2	0	A	4	0	5
---	---	---	---	---	---	---	---	---

### **Minimum Control Measure 3. Illicit Discharge Detection and Elimination**

The information in this section is being reported (check one):

- ☒ On behalf of an individual MS4  
☐ On behalf of a coalition

How many MS4s contributed to this report?

<b>1. Enter the number and approx. percent of outfalls mapped:</b>	5	6	4	#	1	0	0	%
--	---	---	---	---	---	---	---	---

2. How many of these outfalls have been screened for dry weather discharges during this reporting period (outfall reconnaissance inventory)?

**3.a. What types of generating sites/sewersheds were targeted for inspection during this reporting period?**

- ☐ Auto Recyclers
  - ☒ Building Maintenance
  - ☐ Churches
  - ☐ Commercial Carwashes
  - ☐ Commercial Laundry/Dry Cleaners
  - ☐ Construction Vehicle Washouts
  - ☒ Cross-Connections
  - ☐ Distribution Centers
  - ☐ Food Processing Facilities
  - ☐ Garbage Truck Washouts
  - ☐ Hospitals
  - ☐ Improper RV Waste Disposal
  - ☐ Industrial Process Water
  - ☒ Other:
  - ☐ Landscaping (Irrigation)
  - ☐ Marinas
  - ☐ Metal Plateing Operations
  - ☐ Outdoor Fluid Storage
  - ☒ Parking Lot Maintenance
  - ☐ Printing
  - ☐ Residential Carwashing
  - ☒ Restaurants
  - ☐ Schools and Universities
  - ☒ Septic Maintenance
  - ☐ Swimming Pools
  - ☐ Vehicle Fueling
  - ☐ Vehicle Maint./Repair Shops
  - ☐ None

R	a	d	w	a	y	s
---	---	---	---	---	---	---

○ Sewersheds:

[illegible]

# MS4 Annual Report Form

**This report is being submitted for the reporting period ending March 9, 2 0 2 3**

If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition

## Town of Somers

SPDES ID

N	Y	R	2	0	A	4	0	5
---	---	---	---	---	---	---	---	---

**3.b. What types of illicit discharges have been found during this reporting period?**

- ☐ Broken Lines From Sanitary Sewer
  - ☐ Cross Connections
  - ☒ Failing Septic Systems
  - ☐ Floor Drains Connected To Storm Sewers
  - ☐ Illegal Dumping
  - ☐ Other:
  - ☐ Industrial Connections
  - ☐ Inflow/Infiltration
  - ☐ Pump Station Failure
  - ☐ Sanitary Sewer Overflows
  - ☐ Straight Pipe Sewer Discharges
  - ☐ None

[illegible]

**4. How many illicit discharges/potential illegal connections have been detected during this reporting period?**

		1
--	--	---

**5. How many illicit discharges have been confirmed during this reporting period?**

		1
--	--	---

**6. How many illicit discharges/illegal connections have been eliminated during this reporting period?**

		1
--	--	---

**7. Has the storm sewershed mapping been completed in this reporting period?**

☒ Yes    ☐ No

If No, approximately what percent was completed in this reporting period?

			%
--	--	--	---

**8. Is the above information available in GIS?**

☒ Yes      ☐ No

**Is this information available on the web?**

☐ Yes    ☒ No

If Yes, provide URL(s):

Please provide specific address of page where map(s) can be accessed - not home page.

URL

[illegible]

URL

[illegible]

If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition	Town of Somers
-----------------------	----------------

N	Y	R	2	0	A	4	0	5
---	---	---	---	---	---	---	---	---

**Please provide specific address of page where map(s) can be accessed - not home page**

[illegible][illegible][illegible][illegible][illegible]

- 11. What percent of staff in relevant positions and departments has received IDDE training?**

		1	%
--	--	---	---

## MS4 Annual Report Form

**This report is being submitted for the reporting period ending March 9,**

2	0	2	3
---	---	---	---

If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition

Town of Somers

SPDES ID

N	Y	R	2	0	A	4	0	5
---	---	---	---	---	---	---	---	---

### 12. Evaluating Progress Toward Measurable Goals MCM 3

Use this page to report on your progress and project plans toward achieving measurable goals identified in your Stormwater Management Program Plan (SWMP), including requirements in Part III.C.1. Submit additional pages as needed.

#### A. Briefly summarize the Measurable Goal identified in the SWMP in this reporting period.

Continue implementation of illicit discharge ordinance and form septic system maintenance law. Maintain hotline to receive reports related to illicit discharges.

#### B. Briefly summarize the observations that indicated the overall effectiveness of this Measurable Goal.

The Town had no illicit discharges during the reporting period. There was one call to the hotline to report a clogged sewer manhole. The Town does have a septic system maintenance law, consistent with what was approved by DEC. The information regarding onsite wastewater treatment systems with a design capacity of less than 1,000 gallons per day that were cleaned and inspected is available for the period from January 1, 2022 through December 31, 2022. Based on this information, 734

#### C. How many times was this observation measured or evaluated in this reporting period?

	3	6	5
--	---	---	---

(ex.: samples/participants/events)

#### D. Has your MS4 made progress toward this measurable goal during this reporting period?

☒ Yes ☐ No

#### E. Is your MS4 on schedule to meet the deadline set forth in the SWMP?

☒ Yes ☐ No

#### F. Briefly summarize the stormwater activities planned to meet the goals of this MCM during the next reporting cycle (including an implementation schedule).

The Town will continue to use the hotline and field inspections to detect illicit discharges. When such discharges are found, they will continue to be reported and filed with the County Health Department. During the 2023-2024 reporting period, the Town will continue to obtain septic system monitoring data.

**MS4 Annual Report Form**

This report is being submitted for the reporting period ending March 9, 

2	0	2	3
---	---	---	---

If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition

Town of Somers

SPDES ID

N	Y	R	2	0		A	4	0
---	---	---	---	---	--	---	---	---

**Minimum Control Measures 4 and 5.**  
**Construction Site and Post-Construction Control**

The information in this section is being reported (check one):

- ☒ On behalf of an individual MS4  
☐ On behalf of a coalition

How many MS4s contributed to this report? 

--	--	--

**1a. Has each MS4 contributing to this report adopted a law, ordinance or other regulatory mechanism that provides equivalent protection to the NYS SPDES General Permit for Stormwater Discharges from Construction Activities?** ☒ Yes ☐ No

**1b. Has each Town, City and/or Village contributing to this report documented that the law is equivalent to a NYSDEC Sample Local Law for Stormwater Management and Erosion and Sediment Control through either an attorney certification or using the NYSDEC Gap Analysis Workbook?** ☒ Yes ☐ No ☐ NT

If Yes, Towns, Cities and Villages provide date of equivalent NYS Sample Local Law.

☐ 09/2004 ☒ 03/2006 ☐ NT

**2. Does your MS4/Coalition have a SWPPP review procedure in place?** ☒ Yes ☐ No

**3. How many Construction Stormwater Pollution Prevention Plans (SWPPPs) have been reviewed in this reporting period?**

		5
--	--	---

**4. Does your MS4/Coalition have a mechanism for receipt and consideration of public comments related to construction SWPPPs?** ☒ Yes ☐ No ☐ NT

If Yes, how many public comments were received during this reporting period?

		0
--	--	---

**5. Does your MS4/Coalition provide education and training for contractors about the local SWPPP process?** ☒ Yes ☐ No



**6. Identify which of the following types of enforcement actions you used during the reporting period for construction activities, indicate the number of actions, or note those for which you do not have authority:**

<input checked="" type="radio"/> Notices of Violation	#	<table><tr><td></td><td></td><td></td><td></td><td>2</td></tr></table>					2	<input type="radio"/> No Authority
				2				
<input checked="" type="radio"/> Stop Work Orders	#	<table><tr><td></td><td></td><td></td><td></td><td>2</td></tr></table>					2	<input type="radio"/> No Authority
				2				
<input type="radio"/> Criminal Actions	#	<table><tr><td></td><td></td><td></td><td></td><td></td></tr></table>						<input type="radio"/> No Authority
<input type="radio"/> Termination of Contracts	#	<table><tr><td></td><td></td><td></td><td></td><td></td></tr></table>						<input type="radio"/> No Authority
<input checked="" type="radio"/> Administrative Fines	#	<table><tr><td></td><td></td><td></td><td></td><td></td></tr></table>						<input checked="" type="radio"/> No Authority
<input checked="" type="radio"/> Civil Penalties	#	<table><tr><td></td><td></td><td></td><td></td><td></td></tr></table>						<input checked="" type="radio"/> No Authority
<input checked="" type="radio"/> Administrative Orders	#	<table><tr><td></td><td></td><td></td><td></td><td></td></tr></table>						<input checked="" type="radio"/> No Authority
<input type="radio"/> Enforcement Actions or Sanctions	#	<table><tr><td></td><td></td><td></td><td></td><td></td></tr></table>						
<input type="radio"/> Other	#	<table><tr><td></td><td></td><td></td><td></td><td></td></tr></table>						<input type="radio"/> No Authority

**MS4 Annual Report Form**

This report is being submitted for the reporting period ending March 9, 

2	0	2	3
---	---	---	---

If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition

Town of Somers

SPDES ID

N	Y	R	2	0	A	4	0	5
---	---	---	---	---	---	---	---	---

**Minimum Control Measure 4. Construction Site Stormwater Runoff Control**

The information in this section is being reported (check one):

- ☒ On behalf of an individual MS4  
☐ On behalf of a coalition

How many MS4s contributed to this report? 

--	--	--

1. How many construction projects have been authorized for disturbances of one acre or more during this reporting period? 

		5
--	--	---

2. How many construction projects disturbing at least one acre were active in your jurisdiction during this reporting period? 

		5
--	--	---

3. What percent of active construction sites were inspected during this reporting period? ☐ NT 

1	0	0
---	---	---

 %

4. What percent of active construction sites were inspected more than once? ☐ NT 

1	0	0
---	---	---

 %

5. Do all inspectors working on behalf of the MS4s contributing to this report use the NYS Construction Stormwater Inspection Manual? ☒ Yes ☐ No ☐ NT

6. Does your MS4/Coalition provide public access to Stormwater Pollution Prevention Plans (SWPPPs) of construction projects that are subject to MS4 review and approval? ☒ Yes ☐ No ☐ NT

If your MS4 is Non-Traditional, are SWPPPs of construction projects made available for public review? ☐ Yes ☐ No

If Yes, use the following page to identify location(s) where SWPPPs can be accessed.

## MS4 Annual Report Form

**This report is being submitted for the reporting period ending March 9, 2023**

If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition	Town of Somers
-----------------------	----------------

SPDES ID

N	Y	R	2	0	A	4	0	5
---	---	---	---	---	---	---	---	---

**6. con't.:**

Submit additional pages as needed.

● **MS4/Coalition Office**

Department

P	a	n	n	i	n	g		a	n	d		E	n	g	i	n	e	e	r	i	n	g							
---	---	---	---	---	---	---	--	---	---	---	--	---	---	---	---	---	---	---	---	---	---	---	--	--	--	--	--	--	--

### Address

[illegible]

City

[illegible]

N	Y
---	---

Zip

1	0	5	8	9	-				
---	---	---	---	---	---	--	--	--	--

Phone

$$( \begin{array}{|c|c|c|} \hline 9 & 1 & 4 \\ \hline \end{array} ) \begin{array}{|c|c|c|} \hline 2 & 7 & 7 \\ \hline \end{array} - \begin{array}{|c|c|c|c|} \hline 5 & 3 & 6 & 6 \\ \hline \end{array}$$

○ Library

Address

[illegible]

City

S	o	m	e	r	s
---	---	---	---	---	---

N	Y
---	---

Zip

1	0	5	8	9	-			
---	---	---	---	---	---	--	--	--

Phone

$$\begin{pmatrix} 9 & 1 & 4 \end{pmatrix} \begin{matrix} 2 & 3 & 2 \end{matrix} - \begin{matrix} 5 & 7 & 1 & 7 \end{matrix}$$

☐ Other

Address

[illegible]

City

[illegible]

---

Zip

[illegible]**Phone**
$$\left( \begin{array}{|c|} \hline \phantom{0} \\ \hline \end{array} \right) \begin{array}{|c|} \hline \phantom{0} \\ \hline \end{array} - \begin{array}{|c|} \hline \phantom{0} \\ \hline \end{array}$$

○ Web Page URL(s): Please provide specific address where SWPPPs can be accessed - not home page.

URL

[illegible]

URL

[illegible]

**MS4 Annual Report Form**

This report is being submitted for the reporting period ending March 9, 

2	0	2	3
---	---	---	---

If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition

Town of Somers

SPDES ID

N	Y	R	2	0	A	4	0	5
---	---	---	---	---	---	---	---	---

**7. Evaluating Progress Toward Measurable Goals MCM 4**

Use this page to report on your progress and project plans toward achieving measurable goals identified in your Stormwater Management Program Plan (SWMPP), including requirements in Part III.C.1. Submit additional pages as needed.

**A. Briefly summarize the Measurable Goal identified in the SWMPP in this reporting period.**

Continue implementation of illicit discharge ordinance and form septic system maintenance law. Maintain hotline to receive reports related to illicit discharges.

**B. Briefly summarize the observations that indicated the overall effectiveness of this Measurable Goal.**

The Town had one illicit discharge during the reporting period. There was one call to the hotline to report a clogged sewer manhole. The Town does have a septic system maintenance law, consistent with what was approved by DEC. The information regarding onsite wastewater treatment systems with a design capacity of less than 1,000 gallons per day that were cleaned and inspected is available for the period from January 1, 2021 through December 31, 2022. Based on this information, 734 septic systems were cleaned and inspected during this period. Since this is the number cleaned and inspected during this period, it is the number cleaned and inspected.

**C. How many times was this observation measured or evaluated in this reporting period?**

	1	0	0
--	---	---	---

(ex.: samples/participants/events)

**D. Has your MS4 made progress toward this measurable goal during this reporting period?**
☒ Yes   ☐ No
**E. Is your MS4 on schedule to meet the deadline set forth in the SWMPP?**
☒ Yes   ☐ No
**F. Briefly summarize the stormwater activities planned to meet the goals of this MCM during the next reporting cycle (including an implementation schedule).**

Continue to require submission of SWPPPs and use them to monitor construction. (ongoing)

### MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9, 

2	0	2	3
---	---	---	---

If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition 

Town of Somers
----------------

SPDES ID

N	Y	R	2	0	A	4	0	5
---	---	---	---	---	---	---	---	---

### Minimum Control Measure 5. Post-Construction Stormwater Management

The information in this section is being reported (check one):

- ☒ On behalf of an individual MS4  
☐ On behalf of a coalition

How many MS4s contributed to this report? 

--	--	--

**1. How many and what type of post-construction stormwater management practices has your MS4/Coalition inventoried, inspected and maintained in this reporting period?**

	# Inventoried	# Inspections	# Times Maintained									
<input type="radio"/> Alternative Practices	<table><tr><td></td><td></td><td></td></tr></table>				<table><tr><td></td><td></td><td></td></tr></table>				<table><tr><td></td><td></td><td></td></tr></table>			
<input type="radio"/> Filter Systems	<table><tr><td></td><td></td><td></td></tr></table>				<table><tr><td></td><td></td><td></td></tr></table>				<table><tr><td></td><td></td><td></td></tr></table>			
<input checked="" type="radio"/> Infiltration Basins	<table><tr><td></td><td></td><td>4</td></tr></table>			4	<table><tr><td></td><td></td><td>4</td></tr></table>			4	<table><tr><td></td><td></td><td>4</td></tr></table>			4
		4										
		4										
		4										
<input checked="" type="radio"/> Open Channels	<table><tr><td></td><td></td><td>4</td></tr></table>			4	<table><tr><td></td><td></td><td>4</td></tr></table>			4	<table><tr><td></td><td></td><td>4</td></tr></table>			4
		4										
		4										
		4										
<input checked="" type="radio"/> Ponds	<table><tr><td></td><td></td><td>2</td></tr></table>			2	<table><tr><td></td><td></td><td>2</td></tr></table>			2	<table><tr><td></td><td></td><td>2</td></tr></table>			2
		2										
		2										
		2										
<input type="radio"/> Wetlands	<table><tr><td></td><td></td><td></td></tr></table>				<table><tr><td></td><td></td><td></td></tr></table>				<table><tr><td></td><td></td><td></td></tr></table>			
<input checked="" type="radio"/> Other	<table><tr><td></td><td>2</td><td>4</td></tr></table>		2	4	<table><tr><td></td><td>2</td><td>4</td></tr></table>		2	4	<table><tr><td></td><td>2</td><td>4</td></tr></table>		2	4
	2	4										
	2	4										
	2	4										

**2. Do you use an electronic tool (e.g. GIS, database, spreadsheet) to track post-construction BMPs, inspections and maintenance?**

☐ Yes ☒ No

**3. What types of non-structural practices have been used to implement Low Impact Development/Better Site Design/Green Infrastructure principles?**

- ☐ Building Codes      ☒ Municipal Comprehensive Plans  
☐ Overlay Districts    ☐ Open Space Preservation Program  
☒ Zoning                    ☒ Local Law or Ordinance  
☐ None                      ☒ Land Use Regulation/Zoning  
☐ Watershed Plans      ☐ Other Comprehensive Plan

☐ Other:

P	l	a	n	n	i	n	g		B	o	a	r	d		p	e	r	m	i	t		p	r	o	c	e	s	s
---	---	---	---	---	---	---	---	--	---	---	---	---	---	--	---	---	---	---	---	---	--	---	---	---	---	---	---	---

**MS4 Annual Report Form**

This report is being submitted for the reporting period ending March 9, 

2	0	2	3
---	---	---	---

If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition

Town of Somers

SPDES ID

N	Y	R	2	0	A	4	0	5
---	---	---	---	---	---	---	---	---

4a. Are the MS4s contributing to this report involved in a regional/watershed wide planning effort?

☒ Yes ☐ No

4b. Does the MS4 have a banking and credit system for stormwater management practices?

☐ Yes ☒ No

4c. Do the SWMP Plans for each MS4 contributing to this report include a protocol for evaluation and approval of banking and credit of alternative siting of a stormwater management practice?

☐ Yes ☒ No

4d. How many stormwater management practices have been implemented as part of this system in this reporting period?

		5
--	--	---

5. What percent of municipal officials/MS4 staff responsible for program implementation attended training on Low Impace Development (LID), Better Site Design (BSD) and other Green Infrastructure principles in this reporting period?

	1	0
--	---	---

 %

### MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9, 

2	0	2	3
---	---	---	---

If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition

Town of Somers

SPDES ID

N	Y	R	2	0	A	4	0	5
---	---	---	---	---	---	---	---	---

#### 6. Evaluating Progress Toward Measurable Goals MCM 5

Use this page to report on your progress and project plans toward achieving measurable goals identified in your Stormwater Management Program Plan (SWMPP), including requirements in Part III.C.1. Submit additional pages as needed.

##### A. Briefly summarize the Measurable Goal identified in the SWMPP in this reporting period.

The Town is continuing to improve its GIS capabilities and will be in a position to update mapping on an ongoing basis. The Town currently uses "Pubworks" and updates mapping on an on-going basis.

##### B. Briefly summarize the observations that indicated the overall effectiveness of this Measurable Goal.

Hand held devices and paper forms were utilized and some computer logging of information occurred using Public Works laptops. 18 catch basins were inspected and maintained by inside vacuum truck during the MS4 reporting period and 42 cubic yards of material was collected. Areas outside surrounding the catch basins and gutters were cleaned and yielded 19.25 cubic yards of material. No roads were swept during the reporting period by the Highway Department.

##### C. How many times was this observation measured or evaluated in this reporting period?

		3	1
--	--	---	---

(ex.: samples/participants/events)

##### D. Has your MS4 made progress toward this measurable goal during this reporting period?

☒ Yes    ☐ No

##### E. Is your MS4 on schedule to meet the deadline set forth in the SWMPP?

☒ Yes    ☐ No

##### F. Briefly summarize the stormwater activities planned to meet the goals of this MCM during the next reporting cycle (including an implementation schedule).

Continue to inspect and maintain stormwater infrastructure throughout the town, focusing on priority watershed areas. Establish a computer tracking system for inspection and maintenance of BMPs (other than catch basins) for the Highway Department.

**MS4 Annual Report Form**

This report is being submitted for the reporting period ending March 9, 

2	0	2	3
---	---	---	---

If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition

Town of Somers

SPDES ID

N	Y	R	2	0	A	4	0	5
---	---	---	---	---	---	---	---	---

**Minimum Control Measure 6. Stormwater Management for Municipal Operations**

The information in this section is being reported (check one):

- ☒ On behalf of an individual MS4  
☐ On behalf of a coalition

How many MS4s contributed to this report? 

--	--	--

- 1. Choose/list each municipal operation/facility that contributes or may potentially contribute Pollutants of Concern to the MS4 system. For each operation/facility indicate whether the operation/facility has been addressed in the MS4's/Coalition's Stormwater Management Program(SWMP) Plan and whether a self-assessment has been performed during the reporting period. A self-assessment is performed to: 1) determine the sources of pollutants potentially generated by the permittee's operations and facilities; 2) evaluate the effectiveness of existing programs and 3) identify the municipal operations and facilities that will be addressed by the pollution prevention and good housekeeping program, if it's not done already.**

<u>Operation/Activity/Facility</u>	<u>Addressed in SWMP?</u>	<u>Self-Assessment Operation/Activity/Facility performed within the past 3 years?</u>
Street Maintenance.....	<input checked="" type="radio"/> Yes <input type="radio"/> No	<input checked="" type="radio"/> Yes <input type="radio"/> No
Bridge Maintenance.....	<input type="radio"/> Yes <input checked="" type="radio"/> No	<input type="radio"/> Yes <input checked="" type="radio"/> No
Winter Road Maintenance.....	<input checked="" type="radio"/> Yes <input type="radio"/> No	<input checked="" type="radio"/> Yes <input type="radio"/> No
Salt Storage.....	<input checked="" type="radio"/> Yes <input type="radio"/> No	<input checked="" type="radio"/> Yes <input type="radio"/> No
Solid Waste Management.....	<input type="radio"/> Yes <input checked="" type="radio"/> No	<input type="radio"/> Yes <input checked="" type="radio"/> No
New Municipal Construction and Land Disturbance..	<input checked="" type="radio"/> Yes <input type="radio"/> No	<input checked="" type="radio"/> Yes <input type="radio"/> No
Right of Way Maintenance.....	<input checked="" type="radio"/> Yes <input type="radio"/> No	<input checked="" type="radio"/> Yes <input type="radio"/> No
Marine Operations.....	<input type="radio"/> Yes <input checked="" type="radio"/> No	<input type="radio"/> Yes <input checked="" type="radio"/> No
Hydrologic Habitat Modification.....	<input type="radio"/> Yes <input checked="" type="radio"/> No	<input type="radio"/> Yes <input checked="" type="radio"/> No
Parks and Open Space.....	<input checked="" type="radio"/> Yes <input type="radio"/> No	<input checked="" type="radio"/> Yes <input type="radio"/> No
Municipal Building.....	<input checked="" type="radio"/> Yes <input type="radio"/> No	<input checked="" type="radio"/> Yes <input type="radio"/> No
Stormwater System Maintenance.....	<input checked="" type="radio"/> Yes <input type="radio"/> No	<input checked="" type="radio"/> Yes <input type="radio"/> No
Vehicle and Fleet Maintenance.....	<input checked="" type="radio"/> Yes <input type="radio"/> No	<input checked="" type="radio"/> Yes <input type="radio"/> No
Other.....	<input checked="" type="radio"/> Yes <input type="radio"/> No	<input checked="" type="radio"/> Yes <input type="radio"/> No



**MS4 Annual Report Form**

This report is being submitted for the reporting period ending March 9, 

2	0	2	3
---	---	---	---

If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition 

Town of Somers
----------------

SPDES ID

N	Y	R	2	0	A	4	0	5
---	---	---	---	---	---	---	---	---

**2. Provide the following information about municipal operations good housekeeping programs:**

- ☒ Parking Lots Swept (Number of acres X Number of times swept) # Acres 

				2
--	--	--	--	---
- ☒ Streets Swept (Number of miles X Number of times swept) # Miles 

			1	2
--	--	--	---	---
- ☒ Catch Basins Inspected and Cleaned Where Necessary # 

		1	8	7
--	--	---	---	---
- ☒ Post Construction Control Stormwater Management Practices Inspected and Cleaned Where Necessary # 

			1	0
--	--	--	---	---
- ☐ Phosphorus Applied In Chemical Fertilizer # Lbs. 

--	--	--	--	--
- ☐ Nitrogen Applied In Chemical Fertilizer # Lbs. 

--	--	--	--	--
- ☐ Pesticide/Herbicide Applied (Number of acres to which pesticide/herbicide was applied X Number of times applied to the nearest tenth.) # Acres 

					.	
--	--	--	--	--	---	--

**3. How many stormwater management trainings have been provided to municipal employees during this reporting period?**

				1
--	--	--	--	---

**4. What was the date of the last training?**

1	1
---	---

 / 

	3
--	---

 / 

2	0	2	2
---	---	---	---

**5. How many municipal employees have been trained in this reporting period?**

	1	2
--	---	---

**6. What percent of municipal employees in relevant positions and departments receive stormwater management training?**

	3	0
--	---	---

 %

**MS4 Annual Report Form**

This report is being submitted for the reporting period ending March 9, 

2	0	2	3
---	---	---	---

If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition

Town of Somers

SPDES ID

N	Y	R	2	0	A	4	0	5
---	---	---	---	---	---	---	---	---

**7. Evaluating Progress Toward Measurable Goals MCM 6**

Use this page to report on your progress and project plans toward achieving measurable goals identified in your Stormwater Management Program Plan (SWMPP), including requirements in Part III.C.1. Submit additional pages as needed.

**A. Briefly summarize the Measurable Goal identified in the SWMPP in this reporting period.**

To institute better reporting in the form of inspections and maintenance work by the Somers Highway Department, its contractors and the Somers Parks and Recreation Department.

**B. Briefly summarize the observations that indicated the overall effectiveness of this Measurable Goal.**

Both Departments maintained appropriate records, The Highway Department information is computerized, however it would be more efficient to have the computerization take place in the field rather than through data entry in the office via "work tickets". All pertinent information is available for each stormwater activity that is undertaken.

**C. How many times was this observation measured or evaluated in this reporting period?**

		1	0
--	--	---	---

(ex.: samples/participants/events)

**D. Has your MS4 made progress toward this measurable goal during this reporting period?**
☒ Yes    ☐ No
**E. Is your MS4 on schedule to meet the deadline set forth in the SWMPP?**
☒ Yes    ☐ No
**F. Briefly summarize the stormwater activities planned to meet the goals of this MCM during the next reporting cycle (including an implementation schedule).**

Continue to work towards electronic conveyance of pollution prevention activities.

## MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9, 2023

If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition Town of Somers

SPDES ID

NYR20A405

### Additional Watershed Improvement Strategy Best Management Practices

The information in this section is being reported (check one):

- ☒ On behalf of an individual MS4  
☐ On behalf of a coalition

How many MS4s contributed to this report?   

MS4s must answer the questions or check NA as indicated in the table below.

MS4 Description	Answer	Check NA	(POC)
<b>NYC EOH Watershed</b>	-	-	-
Traditional Land Use	1,2,3,4,5,6,7a-d,8a,8b,9	10,11,12	Phosphorus
Traditional Non-Land Use	1,2,3,4,7a-d,8a,8b,9	5,10,11,12	Phosphorus
Non-Traditional	1,2,77a-d,8a,8b,9	3,4,5,10,11,12	Phosphorus
<b>Onondaga Lake Watershed</b>	-	-	-
Traditional Land Use	1,6,7a-d,8a,9	2,3,4,5,8b,10,11,12	Phosphorus
Traditional Non-Land Use	1,6,7a-d,8a,9	2,3,4,5,8b,10,11,12	Phosphorus
Non-Traditional	1,6,7a-d,8a,9	2,3,4,5,8b,10,11,12	Phosphorus
<b>Greenwood Lake Watershed</b>	-	-	-
Traditional Land Use	1,4,6,7a-d,8a,9	2,3,5,8b,10,11,12	Phosphorus
Traditional Non-Land Use	1,4,6,7a-d,8a,9	2,3,5,8b,10,11,12	Phosphorus
Non-Traditional	1,4,6,7a-d,8a,9	2,3,5,8b,10,11,12	Phosphorus
<b>Oyster Bay</b>	-	-	-
Traditional Land Use	1,4,7a-d,9,10,11,12	2,3,5,6,8a,8b	Pathogens
Traditional Non-Land Use	1,4,7a-d,9,10,11,12	2,3,5,6,8a,8b	Pathogens
Non-Traditional	1,4,7a-d,9	2,3,4,5,8a,8b,10,11,12	Pathogens
<b>Peconic Estuary</b>	-	-	-
Traditional Land Use	1,4,7a-d,8a,9,10,11,12	2,3,5,6,8b	Pathogens and Nitrogen
Traditional Non-Land Use	1,4,7a-d,8a,9,10,11,12	2,3,5,6,8b	Pathogens and Nitrogen
Non-Traditional	1,4,7a-d,8a,9	2,3,4,5,8b,10,11,12	Pathogens and Nitrogen
<b>Oscawana Lake Watershed</b>	-	-	-
Traditional Land Use	1,4,6,7a-d,8a,9	2,3,5,8b,10,11,12	Phosphorus
Traditional Non-Land Use	1,4,6,7a-d,8a,9	2,3,5,8b,10,11,12	Phosphorus
Non-Traditional	1,4,6,7a-d,8a,9	2,3,5,8b,10,11,12	Phosphorus
<b>LI 27 Embayments</b>	-	-	-
Traditional Land Use	1,2,3,4,7a-d,9,10,11,12	5,6,8a,8b	Pathogens
Traditional Non-Land Use	1,2,3,4,7a-d,9,10,11,12	5,6,8a,8b	Pathogens
Non-Traditional	1,2,3,4,7a-d,9	5,6,8a,8b,10,11,12	Pathogens

1. Does your MS4/Coalition have an education program addressing impacts of phosphorus/nitrogen/pathogens on waterbodies? ☒ Yes ☐ No ☐ N/A

2. Has 100% of the MS4/Coalition conveyance system been mapped in GIS? ☒ Yes ☐ No ☐ N/A

If N/A, go to question 3.

If No, estimate what percentage of the conveyance system has been mapped so far.

   %

Estimate what percentage was mapped in this reporting period.

   %

**MS4 Annual Report Form**

This report is being submitted for the reporting period ending March 9, 

2	0	2	3
---	---	---	---

If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition 

Town of Somers
----------------

SPDES ID

N	Y	R	2	0	A	4	0	5
---	---	---	---	---	---	---	---	---

3. Does your MS4/Coalition have a Stormwater Conveyance System (infrastructure) Inspection and Maintenance Plan Program? ☒ Yes ☐ No ☐ N/A

4. Estimate the percentage of on-site wastewater treatment systems that have been inspected and maintained or rehabilitated as necessary in this reporting period? 

1	7
---	---

 %

5. Has your MS4/Coalition developed a program that provides protection equivalent to the NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activities (GP-0-08-001) to reduce pollutants in stormwater runoff from construction activities that disturb five thousand square feet or more? ☒ Yes ☐ No ☐ N/A

6. Has your MS4/Coalition developed a program to address post-construction stormwater runoff from new development and redevelopment projects that disturb greater than or equal to one acre that provides equivalent protection to the NYS DEC SPDES General Permit for Stormwater Discharges from Construction Activities (GP-0-08-001), including the New York State Stormwater Design Manual Enhanced Phosphorus Removal Standards? ☒ Yes ☐ No ☐ N/A

7a. Does your MS4/Coalition have a retrofitting program to reduce erosion or phosphorus/nitrogen/pathogen loading? ☒ Yes ☐ No ☐ N/A

7b. How many projects have been sited in this reporting period? 

1	5	9
---	---	---

7c. What percent of the projects included in 7b have been completed in this reporting period? 

1	4
---	---

 %

7d. What percent of projects planned in previous years have been completed? 

5	0
---	---

 %

☒ No Projects Planned

8a. Has your MS4/Coalition developed and implemented a turf management practices and procedures policy that addresses proper fertilizer application on municipally owned lands? ☒ Yes ☐ No ☐ N/A

8b. Has your MS4/Coalition developed and implemented a turf management practices and procedures policy that addresses proper disposal of grass clippings and leaves from municipally owned lands? ☒ Yes ☐ No ☐ N/A

**MS4 Annual Report Form**

This report is being submitted for the reporting period ending March 9, 

2	0	2	3
---	---	---	---

If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition

Town of Somers

SPDES ID

N	Y	R	2	0	A	4	0	5
---	---	---	---	---	---	---	---	---

9. Has your MS4/Coalition developed and implemented a program of native planting?

☒ Yes ☐ No ☐ N/A

10. Has your MS4/Coalition enacted a local law prohibiting pet waste on municipal properties and prohibiting goose feeding?

☒ Yes ☐ No ☐ N/A

11. Does your MS4/Coalition have a pet waste bag program?

☒ Yes ☐ No ☐ N/A

12. Does your MS4/Coalition have a program to manage goose populations?

☐ Yes ☐ No ☒ N/A

## **Town of Somers MS4 Report 2022-2023**

### **Full Narrative of Questions with Answers Partly Hidden in Hard Copy**

#### **MCM 1 Page 4 of 4 – Question 4.B.**

The Planning & Engineering Dept. undertakes environmental determinations, and reviews applications for environmental permitting (steep slopes, wetland, stormwater & erosion and sediment control, land disturbance, etc.) and land development (subdivisions and site plans). Since the implementation of the Town's outreach and education program, these submissions include consideration of water quality best management practices and low impact development techniques. These techniques do not arise through the planning process, but rather from the onset of an application.

#### **MCM 2 Page 6 of 6 – Question 7.B.**

Seven public hearings were held during the reporting period relative to projects reviewed. Comments related to stormwater quality were made at five of the public hearings. The public hearings are related to site plan and preliminary and final subdivision approval, wetland permit approvals. There was no specific Earth Day celebration. Due to Covid-19, the Somers Recycling Day was canceled. However, there was a Spring Litter Clean Up on March 2022 and a Fall Litter Clean Up on October 2022. A total of 189 bags of garbage were collected. No Town collections were made off of State roads, although many clean up areas were conducted on State roads and collected by others. Education of construction site operators occurred at all active construction sites and there were over 100 inspections of these construction sites during the reporting period.

#### **MCM 3 Page 4 of 4 – Question 12.B.**

The Town had no illicit discharges during the reporting period. There was one call to the hotline to report a clogged sewer manhole. The Town does have a septic system maintenance law, consistent with what was approved by DEC. The information regarding onsite wastewater treatment systems with a design capacity of less than 1,000 gallons per day that were cleaned and inspected is available for the period from January 1, 2022 through December 31, 2022. Based on this information, 734 septic systems were cleaned and inspected during this period. Since this is the number cleaned over a 12-month period, it is assumed that the number cleaned from the period of March 9, 2022 to March 9, 2023 would be similar. These observations were monitored every day. The Town previously worked with DEC to secure a contract, hired a consultant and completed its own conveyance mapping and facilitated the initiation or completion of this process for CKWIC member communities during the prior reporting period.

Sent to:  
TB, TA, TC  
4/26/23  
LD

**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](http://www.somersny.com)

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



David B. Smith  
Town Planner  
[directorofplanning@somersny.com](mailto:directorofplanning@somersny.com)

**Date:** April 27, 2023  
**To:** Town Board  
**From:** Steven Woelfle *SW*  
Engineering Department  
**RE:** Professional Services Proposal for  
Installation of Route 202 Crosswalk

---

Please review the attached proposal from Colliers Engineering & Design to provide professional services for a proposed crosswalk at the Heritage Hills Drive/DeCiccio's Supermarket intersection and a handicap accessible sidewalk on the northerly side of Route 202 to extend to the Heritage Hills shopping center entrance.

The estimated budget for the scope of services, is \$20,800. The scope of services includes the design, plan preparation and submittal to NYSDOT.

As you may be aware, with the recent installation of the sidewalk from the school, pedestrians (mainly school-aged children) are crossing Route 202 at different locations between the shopping centers. The crosswalk and additional sidewalk will improve safety and encourage pedestrian foot-traffic between the shopping centers.

SW/wg

Att.

cc: Town Clerk  
Town Attorney  
Peter Russillo, P.E., Colliers Engineering & Design

\\SomersNY-P&E - Documents\General files\Crosswalk - Route 202\memo to TB - Installation of Crosswalk  
Route 202.doc

400 Columbus Avenue, Suite 180E  
Valhalla, New York 10595  
Main: 877 627 3772



April 24, 2023

Mr. Steven Woelfle  
Town of Somers Engineering Department  
355 Route 202  
Somers, NY 10589

Proposal for Professional Services  
Route 202 Crosswalk Installation  
Town of Somers, Westchester County, New York  
Colliers Engineering & Design Proposal No.: 23002957P

Dear Mr. Steven Woelfle,

Colliers Engineering & Design (DBA Maser Consulting Engineering & Land Surveying) is pleased to submit this proposal to provide professional services for a proposed crosswalk installation on US Route 202 in the Town of Somers, Westchester County, New York.

This proposal is divided into four sections as follows:

- Section I** – Scope of Services
- Section II** – Business Terms and Conditions
- Section III** – Technical Staff Hourly Rate Schedule and Reimbursable Expenses
- Section IV** – Client Contract Authorization

The order in which the following scope of services are presented generally follows the sequence in which the project will be accomplished; however, depending on the project, the various authorized services contained in this proposal may be performed in a sequence as deemed appropriate by Colliers Engineering & Design to meet project schedules.



## **Section I – Scope of Services**

Based on our conversations and information noted above and recognizing the New York State Department of Transportation (NYSDOT) will likely require an evaluation of the crosswalk needs, we propose to complete the following:

### **Data Collection**

Colliers Engineering & Design will record traffic and pedestrian volumes at the Intersection of Route 202 with Heritage Hill/DeCicco's Access Drives (signalized) to determine current levels of activity during the 12-hour period from 6:30 AM – 6:30 PM. These data will be summarized and presented in tabular form and graphically.

**Estimated Budget Fee \$800.00 plus Reimbursables**

### **Preliminary Design Documentation**

Colliers Engineering & Design will obtain record plan information from NYSDOT and refer to those plans prepared by Maser Consulting P.C. for the Intersection of Route 202 with the Heritage Hills/DeCicco's Access Drives.

Upon receipt of the above referenced information, Colliers Engineering & Design proposes to prepare an initial Crosswalk Layout Plan that will provide information relative to the location of proposed crosswalk, sidewalk, location of proposed sidewalk ramps, and pedestrian poles/indications and pushbuttons for the Heritage Hills/DeCicco's intersection.

Upon completion, the preliminary drawing accompanied by our vehicle/pedestrian count information (table and figures) will be submitted in hard copy and electronic format to the NYSDOT for review and comment prior to proceeding to final plan preparation.

**Estimated Budget Fee \$4,200.00 plus Reimbursables**

### **Final Plan Preparation**

Upon receipt of comments from the NYSDOT on the Preliminary Plan, Colliers Engineering & Design will proceed to Final Plan preparation. Services under the following tasks includes:

### **Traffic Signal Modification Plan**

- Preparation of a Traffic Signal Modification Plan (using record plan as a base) identifying the proposed pavement markings that will also indicate the color, limits and width of markings to be used, and the type of marking material to be placed. The plan will also depict the location of the pedestrian poles, pushbuttons and indications, pullboxes, conduit, wiring, and any modifications to signal table of operation required by NYSDOT. Should NYSDOT require revisions beyond inclusion of pedestrian actuations, such will be subject of a Client Authorization for additional work.

**Estimated Budget Fee \$5,000.00 plus Reimbursables**

## Sidewalk Plan

- A plan identifying the new sidewalk curbing, sidewalk ramps, and grading will be prepared using the topographic/boundary data. This plan will be completed at a scale of 1" = 20' and will conform to NYSDOT Standard Specifications and Details. The design of a retaining wall, if one is deemed necessary, is not part of this effort. A separate Client Authorization will be prepared if and when the extent of work is determined. However, the above mentioned sidewalk plan will identify the limits of a proposed wall in terms of length and height.
- It should be noted as mentioned above, there is a significant grade change between the pavement elevation and the base of the stone retaining wall on the north side of Route 202 between Heritage Hills access and Heritage Shopping Center. The placement of a sidewalk between these limits may be problematic requiring a modification to the stone wall or introduction of a supplemental wall. Please note, current NYSDOT standards require a 5' separation between the edge of shoulder and a sidewalk where no curb exists. So, installation of curbing would likely be necessary in this instance. Furthermore, there is a telephone manhole location about 85 feet east of Heritage Hills access that may need to be adjusted.
- Details will be incorporated within the final plan set as necessary. Typically, these details would include a curb detail, sidewalk ramp detail(s), curb transition detail, striping detail and any other details identified by the NYSDOT that are necessary to accomplish the work.
- Notes will be provided that will identify the traffic control measures to be employed during construction as well as general notes relative to the contractor's responsibilities during work operations will be included.
- A Maintenance and Protection of Traffic Plan, also known as a Work Zone Traffic Control (WZTC) plan, will be developed that will identify the sequence of construction of the proposed improvements. Included on these drawings will be the placement of temporary traffic control measures such as signing, use of drums, temporary pavement markings, flashing arrow boards, etc. necessary to accomplish the work in a safe and efficient manner.

Note, all work will be designed in accordance with the NYSDOT Standard Specification and Details and therefore, no separate technical specifications will be developed.

**Estimated Budget Fee \$8,750 plus Reimbursables**

## NYSDOT Permit Coordination

This project will require review and approval by the NYSDOT for the proposed modifications. We will investigate whether this work could be completed under, what we understand, is a still open permit issued to DeCicco's or whether a new permit will be necessary. Should a new permit be required, necessary documents required by the Department to initiate the NYSDOT Highway Work Permit review process will be prepared.

Colliers Engineering & Design will assist in preparation of the Highway Work Permit Application documentation and submission coordination. Also included is the review of shop drawings/catalogue cuts for traffic signal equipment only as this is required of the signal designer by

the NYSDOT. Review of non-signal related shop drawings/catalogue cuts are required by the NYSDOT to be reviewed by the designated Consultant Inspector (CI). The CI, who is paid by the permittee, is responsible for the day to day construction inspection and reports to the NYSDOT. As Colliers Engineering & Design provides this service, if you so choose, we will prepare a separate proposal for construction inspection services once the extent of the work is known as determined by the NYSDOT.

**Estimated Budget Fee \$1,250.00 plus Reimbursables**

### **Engineer's Estimate**

Upon approval of the final plans, Colliers Engineering & Design will prepare an engineer's estimate for your use and for the use by the State to determine the bond amount that may be required. The estimate will be keyed to NYSDOT items with quantities and unit prices given.

**Estimated Budget Fee \$800.00 plus Reimbursables**

### **Construction Phase Support**

Colliers Engineering & Design will respond to Request for Information (RFI) in a timely manner.

### **Fee Hourly**

### **Meetings and Follow Up**

Attendance at agency and project coordination (including with client and other consultants) meetings or performing follow up tasks will be billed hourly in accordance with the Schedule of Hourly Rates in effect at the time the meeting is held or follow up conducted. Time spent preparing for meetings and follow up will be billed hourly in accordance with the Schedule of Hourly Rates in effect at the time the service is completed.

### **Fee Hourly**

## Schedule of Fees

For your convenience, we have broken down the total estimated cost of the project into the categories identified within the scope of services.

Task Name	Fee
Data Collection	\$800.00
Preliminary Design Documentation	\$4,200.00
Traffic Signal Modification Plan	\$5,000.00
Sidewalk Plan	\$8,750.00
NYS DOT Permit Coordination	\$1,250.00
Engineer's Estimate	\$800.00
<b>Total Estimated Budget:</b>	<b>\$20,800.00</b>
Construction Phase Support	Hourly
Meetings & Follow Up	Hourly

This Contract and Fee Schedule are based upon the acceptance of Colliers Engineering & Design's Business Terms and Conditions contained in Section II of this Contract. Delivery, mileage, printing and reproduction, overnight mail service and postage costs are not included in the fees and will be added to each monthly invoice. **Payment terms are NET30 of receipt of invoice.**

## Exclusions and Understandings

Services relating to the following items are not anticipated for the project or cannot be quantified at this time. Therefore, any service associated with the following items is specifically excluded from the scope of professional services within this agreement.

- Services not specifically outlined in Section I;
- Field survey and base map preparation beyond the limits indicated;
- RRFB device design for any multiuse path or pedestrian crossings;
- Intersection/roadway lighting analysis and design;
- Design of any roadway improvements beyond the limits described above;
- Retaining wall design;
- Construction inspections;

If an item listed herein, or otherwise not specifically mentioned within this agreement, is deemed necessary, Colliers Engineering & Design may prepare an addendum to this agreement for your review, outlining the scope of additional services and associated professional fees regarding the extra services.



Engineering  
& Design

## Section II – Business Terms and Conditions

Colliers Engineering & Design agrees to provide professional services under the following terms and conditions:

The term Client referenced herein is the person, persons, corporation, partnership, or organization referenced in the proposal between Colliers Engineering & Design and said Client.

### **1.0 SCOPE OF SERVICES:**

Services not set forth in the Scope of Services, are excluded from the Scope of Services, and Colliers Engineering & Design will assume no responsibility to perform such services under the base contract. In situations where a written contract is not executed or where additional services becomes necessary during the course of the project, Colliers Engineering & Design may provide such services using our Technical Staff Hourly Rate Schedule in effect at the time of services. The hourly rates listed in our Technical Staff Hourly Rate Schedule are adjusted semi-annually and the Client shall be billed at the rates that are in effect at the time of service.

Since there are substantial costs to stop and restart a project once it is underway, should a project's progress be halted at any time by the client, for any reason, Colliers Engineering & Design reserves the right to charge a restart fee and/or to renegotiate the remaining fees within the contract.

These Business Terms and Conditions are applicable for any additional professional services rendered for this project including, but not limited to, change orders, client service authorization forms, etc.

### **2.0 STANDARD OF CARE:**

In performing services, we agree to exercise professional judgment, made on the basis of the information available to us, and to use the same degree of care and skill ordinarily exercised in similar circumstances and conditions by reputable consultants performing comparable services in the same locality. This standard of care shall be judged as of the time the services are rendered, and not according to later standards. Reasonable people may disagree on matters involving professional judgment and, accordingly, a difference of opinion on a question of professional judgment shall not excuse a Client from paying for services rendered. NO OTHER REPRESENTATION OR WARRANTY, EXPRESSED OR IMPLIED, IS MADE.

### **3.0 INVOICES:**

Colliers Engineering & Design bills its Clients on a monthly basis using a standard invoice format. This format provides for a description of services performed and a summary of professional fees, expenses, and other charges. For more detailed invoicing requests, Colliers Engineering & Design reserves the right to charge for invoice preparation time by staff members. Monthly invoices will be submitted based upon percentage of services completed and reimbursable expenses. Any comments or discrepancies, relative to invoices shall be submitted in writing within fourteen (14) days or the account will be considered correct.

For professional services billed on an hourly basis, Colliers Engineering & Design reserves the right to invoice all overtime services performed by our employees using our Technical Staff Hourly Rate Schedule in effect at the time of services at ONE AND ONE-HALF TIMES our standard hourly rate for those employees.

Expenses incurred for services, equipment, and facilities not furnished by Colliers Engineering & Design are charged to the Client at cost plus an up-charge not to exceed 15 percent of the invoice for said services.

Client shall pay Colliers Engineering & Design for reimbursable expenses, including, but not limited to, application fees, printing and reproduction, mileage, courier and express delivery service, special/overnight mailings, facsimile transmissions, specialized equipment and laboratory charges, and costs of acquiring materials specifically for the Client. Reimbursable charges will be added to each monthly invoice and are part of Client's responsibility.

### **4.0 PAYMENT:**

Colliers Engineering & Design bills are payable in full UPON RECEIPT and **payment is expected within thirty (30) days**. We reserve the right to assess a late charge of 1.5 percent per month for any amounts not paid within 45 days of the billing date. In the event payment is not made according to the terms and conditions herein, the matter may proceed to a collections agency or to an attorney for collection. Client shall be responsible for fees charged by the collections agency and/or attorney's fees incurred to collect the monies owed. Should the matter proceed to court, client shall also be responsible for court costs.

In addition, where payment is not received in accordance with the terms of this contract, Colliers Engineering & Design reserves the right to withdraw any applications to federal, state, or local regulatory agencies / boards filed on behalf of the client with the understanding that these applications are the property of Colliers Engineering & Design. Colliers Engineering & Design will provide you with written notification two (2) weeks prior to taking any action to withdraw an application submitted on behalf of the client. If payment of all outstanding invoices is not received within two (2) weeks of receipt of this letter, Colliers Engineering & Design will withdraw all pending applications for the project.

### **5.0 RETAINER:**

**Colliers Engineering & Design reserves the right to request a retainer from the Client prior to the commencement of services on a project. While retainers are collected prior to the start of a project, the retainer is held to the end of the project, and will be applied to the final invoices. Retainers are not applied to the beginning of the project.**

#### **6.0 RIGHT OF ENTRY/JOBSITE:**

Client will provide for right of entry for Colliers Engineering & Design personnel and equipment necessary to complete our services. While Colliers Engineering & Design will take all reasonable precautions to minimize any damage to the property, it is understood by the Client that in the normal course of our services some damage may occur, the correction of which is not part of this Agreement.

Client shall furnish or cause to be furnished to Colliers Engineering & Design all documents and information known to the Client that relate to the identity, location, quantity, nature or characteristics of any hazardous or toxic substances at, on, or under the site. In addition, the Client will furnish or cause to be furnished such other information on surface and subsurface site conditions required by Colliers Engineering & Design for proper performance of its services. Colliers Engineering & Design shall be entitled to rely on the accuracy and completeness of Client provided documents and information in performing the services required under this Agreement and Colliers Engineering & Design assumes no responsibility or liability for their accuracy or completeness.

Colliers Engineering & Design will not direct, supervise, or control the work of Client's contractors or their subcontractors. Colliers Engineering & Design shall not have authority over or responsibility for the construction means, methods, techniques, sequences, or procedures and Colliers Engineering & Design's services will not include a review or evaluation of the contractors (or subcontractor's) safety precautions, programs or measures.

Colliers Engineering & Design shall be responsible only for its activities and that of its employees on any site. Neither the professional activities nor the presence of Colliers Engineering & Design or its employees or subcontractors on a site shall imply that Colliers Engineering & Design controls the operations of others, nor shall this be construed to be an acceptance by Colliers Engineering & Design of any responsibility for jobsite safety.

#### **7.0 UTILITIES:**

In the execution of our services, Colliers Engineering & Design will take reasonable precautions in accordance with the professional standard of care to avoid damage or injury to subterranean structures or utilities. The Client agrees to hold Colliers Engineering & Design harmless and defend and indemnify Colliers Engineering & Design for any claims or damages to subterranean structures or utilities, which have not been marked-out under the One-Call system or are not shown or are incorrectly shown on the plans furnished.

#### **8.0 TERMINATION OR SUSPENSION OF SERVICES:**

Should Client fail to make payments when due or is otherwise in material breach of this Agreement, Colliers Engineering & Design at their election may suspend services at any time after PROVIDING WRITTEN NOTICE TO THE CLIENT until payments are brought current. Colliers Engineering & Design shall have no liability whatsoever to the Client for any costs or damages as a result of such suspension and the Client agrees to indemnify and hold Colliers Engineering & Design harmless from any claim or liability resulting from such suspension.

This Agreement may be terminated by either party upon seven (7) days written notice in the event of substantial failure by the other party to perform in accordance with the terms hereof. Such termination shall not be effective if that substantial failure has been remedied before expiration of the period specified in the written notice. In the event of termination, Colliers Engineering & Design shall be paid for service performed to the termination notice date plus reasonable termination expenses.

In the event of termination, or suspension for more than three (3) months, prior to completion of all services contemplated by the Agreement, Colliers Engineering & Design may complete such analyses and records as are necessary to complete its files and may also complete a report on the services performed to the date of notice of termination or suspension. The expenses of termination or suspension shall include all direct costs of Colliers Engineering & Design in completing such analyses, records and reports.

#### **9.0 SUBCONSULTANTS/SUBCONTRACTORS:**

Colliers Engineering & Design prefers that its Clients directly retain others whose services are required in connection with a project (e.g., drillers, analytical laboratories, transporters, other experts, etc.), except in unusual circumstances. As a service, we will advise Clients with respect to selecting other such subconsultants/subcontractors and will assist Clients in coordinating and monitoring their performance. In no event will we assume any liability or responsibility for the work performed by other subconsultants/subcontractors, or for their failure to perform any work, regardless of whether we hire them directly as subconsultants/subcontractors, or only coordinate and monitor their work. When Colliers Engineering & Design does engage a subconsultant/subcontractor on behalf of the Client, the expenses incurred, including rental of special equipment necessary for the work, will be billed as they are incurred, at cost plus an up-charge not to exceed 20 percent of the invoice. By engaging us to perform services, you agree to defend, indemnify and hold Colliers Engineering & Design its directors, officers, employees, and other agents harmless from and against any and all claims, losses, liabilities, damages, demands, costs, or judgments arising out of or relating in any way to the performance or non-performance of work by another subconsultant/subcontractor. In addition, Client agrees to pursue recovery of and assert any claims based upon its loss, expenses and/or damages solely and directly against those subconsultants/subcontractors. In consideration of such indemnity and waiver, Colliers Engineering & Design agrees to assign its rights and/or claims against those subconsultants/subcontractors pursuant to the subconsultants/subcontractors agreements with Colliers Engineering & Design to the Client.

#### **10.0 AGREED REMEDY:**

Colliers Engineering & Design shall be liable to the Client only for direct damages to the extent caused by Colliers Engineering & Design's negligence in the performance of its services. UNDER NO CIRCUMSTANCES SHALL COLLIERS ENGINEERING & DESIGN BE LIABLE FOR INDIRECT, CONSEQUENTIAL, PUNITIVE, SPECIAL, OR EXEMPLARY DAMAGES, OR FOR DAMAGES CAUSED BY THE CLIENT'S FAILURE TO PERFORM ITS

**OBLIGATIONS.** With regard to services involving hazardous substances, Colliers Engineering & Design has neither created nor contributed to the creation or existence of any actually or potentially hazardous, radioactive, toxic, or otherwise dangerous substance or condition at any site, and its compensation is in no way commensurate with the potential liability that may be associated with a substance or site.

To the fullest extent permitted by law, the total liability, in the aggregate, of Colliers Engineering & Design and Colliers Engineering & Design's officers, directors, employees, agents and consultants to Client and anyone claiming by, through or under Client, for any and all injuries, claims, losses, expenses, or damages whatsoever arising out of in any way related to Colliers Engineering & Design's services, the Project or this Agreement, from any cause or causes whatsoever, including but not limited to, negligence, strict liability, breach of contract or breach of warranty shall not exceed the total compensation received by Colliers Engineering & Design under this Agreement, not including reimbursable expenses and any subconsultant/contractor fees rendered on the project.

It is intended by the parties to this Agreement that Colliers Engineering & Design's services in connection with the project shall not subject Colliers Engineering & Design's individual employees, officers or directors to any personal legal exposure for the risks associated with this project. Therefore, the Client agrees that as the Client's sole and exclusive remedy, any claim, demand or suit shall be directed and/or asserted only against Colliers Engineering & Design, a New Jersey corporation, and not against any of Colliers Engineering & Design's employees, officers or directors.

#### **11.0 LIABILITY TO THIRD PARTIES:**

The Client agrees to be solely responsible for, and to defend, indemnify, and hold Colliers Engineering & Design harmless from any and all liabilities, claims, damages and costs (including reasonable attorney's fees and defense costs) by third parties arising out of, or in any way related to, our performance or non-performance of services, except claims for personal injury, death, or personal property damage to the extent caused by the sole negligence, gross negligence or willful misconduct of employees of Colliers Engineering & Design.

#### **12.0 INDEMNIFICATION:**

Colliers Engineering & Design shall maintain, at its own expense, Workers Compensation Insurance, Comprehensive General Liability Insurance and Professional Liability Insurance at all times and will, upon request, furnish insurance certificates to the Client.

To the fullest extent permitted by law, Client shall indemnify, defend and hold harmless Colliers Engineering & Design and its agents, officers, directors and employees, subcontracts or consultants (herein for the remainder of this section collectively referred to as Colliers Engineering & Design) from and against all claims, damages, losses and expenses, whether direct, indirect or consequential or punitive, including but not limited to fees and charges of attorneys and court and arbitration costs, arising out of or resulting from the services of Colliers Engineering & Design or any claims against Colliers Engineering & Design arising from the acts, omissions or work of others, unless it is proven in a court of competent jurisdiction that Colliers Engineering & Design is guilty of negligence, gross negligence, or willful misconduct in connection with the services and such negligence, gross negligence, or willful misconduct was the sole cause of the damages, claims, and liabilities.

Client agrees to defend, indemnify and hold harmless Colliers Engineering & Design from and against all claims, damages, losses and expenses, direct or indirect, and consequential damages, including but not limited to fees and charges of attorneys and court, and arbitration costs, brought by any person or entity, or claims against Colliers Engineering & Design which arise out of, are related to, or are based upon, the actual or threatened dispersal, discharge, escape, release, or saturation of smoke, vapors, soot, fumes, acids, alkalis, toxic chemical, radioactive materials, liquids, gases, or any other material, upon it or into the surface or subsurface soil, water or watercourse, objects, or any tangible or intangible matter.

To the fullest extent permitted by law, such indemnification shall apply regardless of the fault, negligence breach of warranty or contract, or strict liability of Colliers Engineering & Design. This indemnification shall not apply to claims, damages, losses, or expenses which are determined by a court of competent jurisdiction to be the sole result of negligence or willful misconduct by Colliers Engineering & Design of obligations under this Agreement.

#### **13.0 ASSIGNS:**

The Client may not delegate, assign, sublet, or transfer his duties or interest in the Agreement without written consent of Colliers Engineering & Design. Colliers Engineering & Design shall not, in connection with any such assignment by the Client, be required to execute any documents that in any way might, in the sole judgment of Colliers Engineering & Design, increase Colliers Engineering & Design's contractual or legal obligations or risks, or the availability or costs of its professional or general liability insurance.

The Agreement shall not create any rights or benefits to parties other than the Client and Colliers Engineering & Design, and nothing contained in this Agreement shall create a contractual relationship with, or a cause of action in favor of, a third party against either the Client or Colliers Engineering & Design. Colliers Engineering & Design's services hereunder are being performed solely for the benefit of the Client, and no other entity shall have any claim against Colliers Engineering & Design because of this Agreement of Colliers Engineering & Design's performance or nonperformance of services hereunder.

#### **14.0 OWNERSHIP AND RESTRICTION ON REUSE OF DOCUMENTS:**

All drawings, calculations, reports, plans, specifications, computer files, field data, notes, and other documents and instruments ("Documents") prepared by Colliers Engineering & Design are and remain the property of Colliers Engineering & Design as instruments of service. The Documents may not be copied by the Client or others on extensions of this project or on any other project. The Client agrees not to use Colliers Engineering & Design's Documents for marketing purposes, for projects other than the project for which the Documents were prepared by

Colliers Engineering & Design, or for future modifications to this project, without Colliers Engineering & Design's express written permission. Any reuse or distribution to third parties without such express written permission or project-specific adaptation by Colliers Engineering & Design will be at the Client's sole risk and without liability to Colliers Engineering & Design or its employees, subsidiaries, independent professional associates, sub consultants, and subcontractors. The Client shall, to the fullest extent permitted by law, indemnify, defend, and hold harmless Colliers Engineering & Design from and against any and all expenses, fees, demands, liabilities, suits, actions, claims, damages or losses including attorneys' fees and costs, arising out of or resulting from such unauthorized distribution or reuse of Documents.

Computer files are not considered part of deliverables unless specifically requested or required by the signed contract. If computer files are required, Colliers Engineering & Design shall provide Client files subject to the following conditions:

The Client must execute our standard Electronic Media Release form prior to any distribution of files. The Client recognizes that data, plans, specifications, reports, documents or other information recorded on or transmitted as electronic media are subject to undetectable alteration, either intentional or unintentional due to, among other causes, transmission, conversion, media degradation, software error, or human alteration. Accordingly, it is understood that electronic files provided to the Client are for informational purposes only and are not intended as an end-product. Colliers Engineering & Design makes no representation of any warranties, either expressed or implied, regarding the fitness or suitability of the electronic documents. Accordingly, the Client agrees to waive any and all claims against Colliers Engineering & Design and Colliers Engineering & Design's consultants relating in any way to the unauthorized use, reuse or alteration of the electronic documents. Any unlicensed use or reuse of the documents without our written consent will constitute a violation of our copyright. Only original plans and reports of the most recent date bearing the signature and the embossed seal of the professional will be considered documents of record.

Colliers Engineering & Design, shall maintain in its storage facility, samples collected as part of their services provided for a period of three (3) months after issuance of final reports. After the three (3) month time limit, all samples will be disposed of in accordance with appropriate regulations at the time. Extended storage of samples can be arranged at an additional cost to be established on a project by project basis.

#### **15.0 GENERAL CONDITIONS:**

Colliers Engineering & Design shall not be responsible for the delays caused by factors beyond its reasonable control, including but not limited to delay due to accidents, an act of God, fire, hurricane, flood, explosions, strike, boycott or other labor dispute, failure of the Client to furnish timely information or approve or disapprove of Colliers Engineering & Design's services or work product, delays caused by faulty performance by the Client or contractors of any level, or by acts of Government, which, in the opinion of Colliers Engineering & Design, could not have been reasonably foreseen and provided for, such delay will entitle Colliers Engineering & Design to an extension of time in performing its Services. If there is any increase in the total cost of providing Services by reason of any such delay, Colliers Engineering & Design will notify Client of particulars, and Client will pay for such increase. When such delays beyond Colliers Engineering & Design's reasonable control occur, the Client agrees that Colliers Engineering & Design shall not be responsible for damages, nor shall Colliers Engineering & Design be deemed in default of this Agreement.

The fees quoted in this proposal assume that upon authorization, this project will commence through to completion without a stop work order from the Client. Should a stop work order be received from the Client before completion of the project or any task, additional fees may be required to restart the project.

#### **16.0 ENTIRE AGREEMENT:**

This Agreement comprises the final and complete Agreement between the Client and Colliers Engineering & Design. It supersedes all prior or contemporaneous communications, representations, or Agreements, whether oral or written, relating to the subject matter of this Agreement. Execution of this Agreement signifies that each party has read the document thoroughly, has had the opportunity to have questions explained by independent counsel and is satisfied with the terms and conditions contained herein. Amendments to this Agreement shall not be binding unless made in writing and signed by both the Client and Colliers Engineering & Design.

To the extent Client provides its own Agreement and that Agreement conflicts with or is silent with respect to any term or condition expressed herein, these conditions shall prevail and shall be binding upon the parties.



## Section III – Rate Schedule

### Technical Staff Rates 2023

Billing Titles	Hourly Rates
Executive Principal	260.00
Senior Principal	250.00
Principal	245.00
Senior Technical Director	225.00
Senior Project Manager	210.00
Technical Director	200.00
Project Manager	195.00
Senior Project Specialist	185.00
Project Specialist	175.00
Technical Professional	155.00
Technical Specialist	135.00
Specialist	130.00
Senior Data Technician	125.00
Senior Technical Assistant	110.00
Technical Assistant	100.00
Field Technician	95.00
Data Technician	90.00
Survey Crew – 1 Person w/Robotic Equipment	195.00
Additional Survey Crew Member	45.00
SUE Crew (designating) – 1 Person	125.00
Additional (designating) Member	50.00
SUE Crew (locating) – 2 Person	185.00
Additional (locating) Member	45.00
Expert Witness	360.00

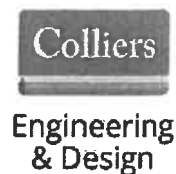
### Reimbursable Expenses

General Expenses	Cost + 20%
Travel (Hotel, Airfare, Meals)	Cost + 20%
Sub-Consultants/Sub-Contractors	Cost + 20%
Plotting	3.95 / Each
Computer Mylars / Color Plots	95.00 / Each
Photocopies	0.19 / Each
Color Photocopies	2.00 / Each
Document Binding	4.00 / Each
Portable Media	95.00 / Each
Portable Media	25.00 / Additional Each
Exhibit Lamination (24" x 36" or larger)	75.00 / Each
Automatic Traffic Recorders (ATR)	800 / Per Week
Initial Digital Signature	275.00
Additional Digital Signatures	75.00 / Each
Mileage Reimbursement*	0.655 / Per Mile
	Field Vehicle 0.70 / Per Mile

\*Mileage reimbursement subject to change based upon IRS standard mileage rate.

Westchester Schedule Municipal

Rates are effective through December 31, 2023



#### Section IV – Client Contract Authorization

I hereby declare that I am duly authorized to sign binding contractual documents. I also declare that I have read, understand, and accept this contract.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Title

If you find this proposal acceptable, please sign where indicated above in Section IV, and return one signed copy to this office. **Payment terms are NET30 of receipt of invoice.** This proposal is valid until June 16, 2023.

We very much appreciate the opportunity of submitting this proposal and look forward to performing these services for you.

Sincerely,

Colliers Engineering & Design CT, P.C.  
(DBA Maser Consulting Engineering & Land Surveying)

A handwritten signature in black ink, appearing to read "A. Peter Russillo".

A. Peter Russillo, P.E., PTOE  
Sr. Project Manager

cc: Leonardo E. Ponzio, PLS, Colliers Engineering & Design (via email)

R:\Projects\2023\23002957P\230424APR\_Woelfle Proposal R1.docx