

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, OCTOBER 8, 2026
www.somersny.gov**

6:00pm Executive Session

I. PLEDGE OF ALLEGIANCE:

7:00pm Regular Meeting

II. ROLL CALL

III. PUBLIC HEARING:

1. Section 158-21.2, entitled "Prohibited turns," is hereby repealed in its entirety, thereby removing the prohibition on left turns from southbound Lovell Street onto Dunhill Drive.
2. Article V entitled Stop and Yield Intersections Section 158-19 Stop Intersections Designated is hereby amended to add the following:
VVV. Pursuant to Section 1660 Subdivision 1 of the Vehicle and Traffic Law, Stop Signs shall be installed at the following locations:
Stop signs shall be installed on Lovell Street north and south of the intersection with Westridge Drive, creating a three-way stop.

PUBLIC COMMENT

Please limit your comments to no more than 3 minutes.

SOMERS TOWN BOARD
REGULAR MEETING - 7:00pm
THURSDAY, OCTOBER 8, 2026
www.somersny.gov

IV. APPROVAL OF MINUTES:

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

VI. BUSINESS OF THE BOARD:

A. TOWN BOARD:

1. Town of Somers – Update
2. 2025 Audit - Discussion – Jeffrey Shaver, PKF O'Connor Davies
3. Announce that October, 2026 is American Archives Month
4. Refer request to name a private common driveway for the Mitchell subdivision, approved in 2015, to the Assessor, Police Department, Bureau of Fire Protection, and the Town Historian for evaluation. Suggested names are: Olivia Way, Olivia Drive, and Olivia Court.
5. Building Department – Request to Rescind and Replace in its Entirety Chapter 74 (Building Construction/Article 1 Building Code Administration) of the Town Code – Discussion
6. Consider adoption of the final order in the matter of the establishment of the Somers Water District No. 2 in the Town of Somers, Westchester County, New York, pursuant to Article 12-A of the Town Law - Discussion
7. Consider authorizing the solicitation of bids for the potential purchase of an AWD electric vehicle, or another Bolt and battery-operated Parks equipment, utilizing the remaining CREST grant funds – Discussion
8. Review Bids received for Asbestos Remediation in the Basement of the Somers Town House, EPF Grant #247346 – Discussion

B. PARKS & RECREATION: No additional business.

**SOMERS TOWN BOARD
REGULAR MEETING - 7:00pm
THURSDAY, OCTOBER 8, 2026
www.somersny.gov**

C. FINANCIAL: No additional business.

D. HIGHWAY: No additional business.

E. PERSONNEL:

1. Current Vacancies:

- a. Affordable Housing Board (1- 2-year term ending 7/11/2027.)
- b. Affordable Housing Board (3- 2-year terms ending 7/11/2028.)
- c. Assessment Board of Review (1- 5-year term ending 9/30/2029.)
- d. Assessment Board of Review (1- 5-year term ending 9/30/2031.)
- e. Parks and Recreation Board (1- 3-year term ending 3/9/2029.)
- f. Partners in Prevention Committee (1- 3-year term ending 12/31/2026.)

2. Upcoming Vacancies - Terms Expiring in 2026:

- a. Partners in Prevention Committee (4- 3-year terms ending 12/31/2026.)
- b. Planning Board (1 – 7-year term ending 12/31/2026.)
- c. Zoning Board of Appeals (1 – 5-year term ending 12/31/2026.)

F. PLANNING & ENGINEERING: No additional business.

G. POLICE: No additional business.

H. CONSENSUS AGENDA:

1. Authorize the return of the following Bonds per the September 14, 2026 and September 17, 2026 memos from Steven Woelfle, Engineering Department:

- a. \$500.00 Erosion Control Bond
North County Homes, Inc., 94 Warren Street/Smith Lane
Environmental Permit #ASMESCSST2023-11
TM: 6.14-1-47
- b. \$1,500.00 Performance Bond
North County Homes, Inc., 94 Warren Street/Smith Lane
Environmental Permit #ASMESCSST2023-11
TM: 6.14-1-47

SOMERS TOWN BOARD
REGULAR MEETING - 7:00pm
THURSDAY, OCTOBER 8, 2026
www.somersny.gov

c. \$300.00

Erosion Control Bond

Wilkinson/Jones Environmental Permit #W2019-27

TM: 28.05-1-7

2. Authorize the Supervisor to execute the application to reserve temporary use of the Somers Town House Green from Anthony J. Messina to display a Christmas Nativity Creche from December 4, 2026 through January 10, 2027.
3. Retirement Reporting Resolution

**SOMERS TOWN BOARD
REGULAR MEETING - 7:00pm
THURSDAY, OCTOBER 8, 2026
www.somersny.gov**

2026 Calendar

October 8, 2026	7:00pm	Town Board Regular Meeting Public Hearing Article V entitled <u>Stop and Yield Intersections</u> Section 158-19 <u>Stop Intersections Designated</u> is hereby amended to add the following: VVV. Pursuant to Section 1660 Subdivision 1 of the Vehicle and Traffic Law, Stop Signs shall be installed at the following locations: Stop signs shall be installed on Lovell Street north and south of the intersection with Westridge Drive, creating a three-way stop. Public Hearing Section 158-21.2, entitled "Prohibited turns," is hereby repealed in its entirety, thereby removing the prohibition on left turns from southbound Lovell Street onto Dunhill Drive.
-----------------	--------	---

October 14 & 15 Department Budget Hearings

November 5, 2026	7:00pm	Town Board Work Session
November 12, 2026	7:00pm	Town Board Regular Meeting Public Hearing Proposed Code Revisions – Wireless Communications – Eligible Facilities
December 3, 2026	7:00pm	Town Board Work Session
December 10, 2026	7:00pm	Town Board Regular Meeting

Sent to:
TB, ITA, TC
9/25/26
KD

PUBLIC HEARING NOTICE

PLEASE TAKE NOTICE that the Town of Somers will conduct a public hearing on October 8, 2026, 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 Code of the Town of Somers as follows:

BE IT ENACTED by the Town Board of the Town of Somers as follows:

Section 158-21.2, entitled "Prohibited turns," is hereby repealed in its entirety, thereby removing the prohibition on left turns from southbound Lovell Street onto Dunhill Drive.

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: September 10, 2026

RECEIVED

SEP 24 2026

OFFICE OF THE SUPERVISOR
TOWN OF SOMERS

Sent to:
TB, TA, TC
9/25/26
KD

PUBLIC HEARING NOTICE

PLEASE TAKE NOTICE that the Town of Somers will conduct a public hearing on October 8, 2026 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:

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

Stop signs shall be installed on Lovell Street north and south of the intersection with Westridge Drive, creating a three-way stop.

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: September 10, 2026

RECEIVED

SEP 24 2026

OFFICE OF THE SUPERVISOR
TOWN OF SOMERS

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 KALBA
TOWN CLERK



RECEIVED

OCT - 7 2026

OFFICE OF THE SUPERVISOR
TOWN OF SOMERS

October is American Archives Month, a time to recognize the importance of preserving the records, photographs, documents, and stories that connect us to our past.

Here in Somers, we are fortunate to have a rich history and so much of it has been preserved for future generations. From historic Town records and photographs to the collections and artifacts that tell the stories of the people and places that shaped our community, our archives provide a unique look at how Somers has grown and changed over the years.

The Town Clerk's Office and the Somers Historical Society work year-round to preserve these important pieces of our history and ensure they remain available for generations to come.

Archives Month is a great reminder that history isn't just something we read about — it can be found right here in our own community, sometimes in a document, a photograph, a handwritten record, or an item that has been carefully preserved for decades.

This October, we encourage everyone to take a moment to appreciate Somers' history and the importance of preserving the records and stories that help tell it.

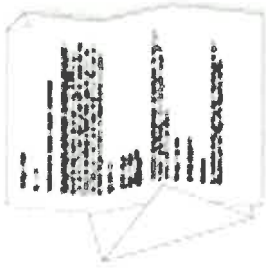
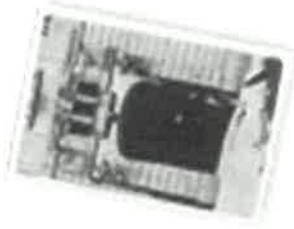
RECEIVED

OCT - 6 2026

OFFICE OF THE SUPERVISOR
TOWN OF SOMERS

OCTOBER 15

AMERICAN ARCHIVES MONTH





Somers Historical Society thanks the Town Board in recognizing American Archives Month in October AND salutes Town Clerk Patty Kalba for her work in caring for the Town's public archives including caring for municipal records generated by the Town of Somers in the course of daily business since its founding as Stephentown in 1788, and the Wright Reis Collection donated by Carolyn Wright Reis in 1966.

Separately, for 70 years, Somers Historical Society's members have cared for its own private archival collection, some of which is digitized on the New York Heritage Network, YouTube and SoundCloud and is regularly consulted by people internationally.





An exhibition entitled

Celebrating Our Legacies: America @ 250; Somers Historical Society @ 70

opens in November in our third floor galleries at the Elephant Hotel.

The exhibition will showcase highlights of our archives, including
several pre-Revolutionary War land deeds .





PICTURED FROM SOCIETY ARCHIVES is this 1765 land deed between Oliver Delancey and John van Cortlandt which will be one of the documents being exhibited for the first time ever. It is handwritten with a quill on a single piece of parchment and has the original intact wax seals.



De-Laney for himself and his children and circumstances were provided for
Delivery of these presents to the said Oliver De-Laney stands lawfully placed and possessed
maintenance and hath in himself good right full power and Lawful and Absolute
Grant his heirs and assigns in manner and form **Verba** **And** **Also** that to the
Said people Enjoy and keep the same and Every part and parcel thereof and the heirs
lawful Inheritance or Condemnation for by the said Oliver De-Laney his heirs or assigns
of the Day and year first Above written as follows

Oliver Delaney

White Dr. Linnen



The document was donated to Somers Historical Society from a founding member of the Society who was also a direct descendant of the van Cortlandt and van Rensselaer families, founding families of the Colony of New York and subsequently, the Town of Somers..

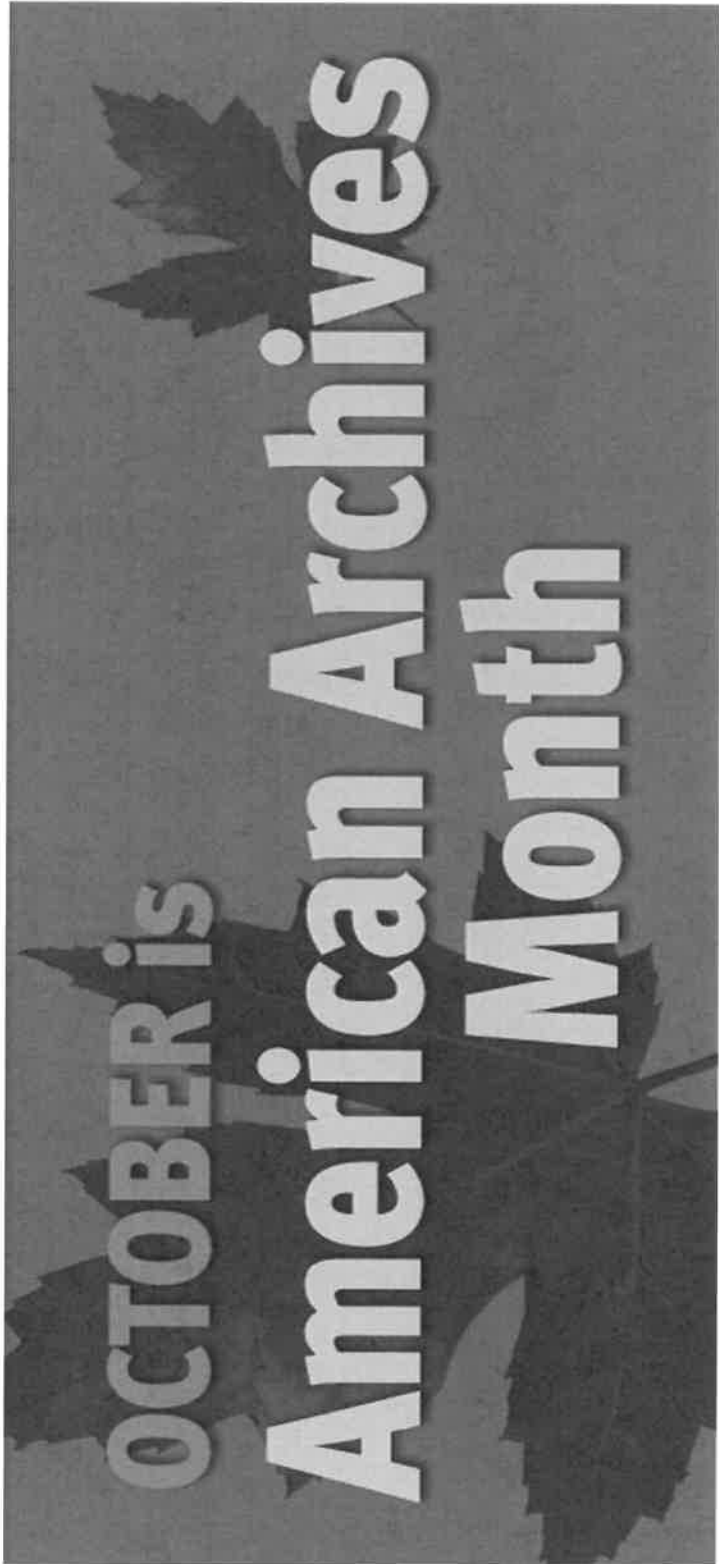




To learn more about Somers Historical Society Archives call (914)277-4977 or email: somershistoricalsoc@yahoo.com..

See or hear selections from the Society's digital archives at New York Heritage Network, Westchester Virtual Archives, and on the Society's SoundCloud (Somersnyhistoryspeak) and YouTube(@somershistory79)channels..





OCTOBER is

**American Archives
Month**

Kim DeLucia

Sent to:
TB, TA, TC 10/2/26 KD

From: Steve Woelfle
Sent: Thursday, October 1, 2026 9:55 AM
To: Kim DeLucia; Teresa Stegner; Tom Tooma; fescon
Cc: Robert Scorrano; Patricia Kalba; David B. Smith
Subject: FW: Mitchell Subdivision

Follow Up Flag: Follow up
Flag Status: Completed

This is a request to name a private common driveway for the Mitchell subdivision approved in 2015.

There are no numbers available to assign addresses for three new common driveway lots that are accessed of Rt. 118.

Below the developer, Joe Festo has provided some possible names.

Please place on town board agenda for referral to police, fire, tax assessor and town historian.

Steven Woelfle
Town of Somers-Engineering Dept.
Phone: (914) 277-5366
Fax: (914) 277-4093

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

From: [REDACTED]
Sent: Thursday, October 1, 2026 8:36 AM
To: Steve Woelfle <swoelfle@somersny.gov>
Subject: Mitchell Subdivision

Good Morning Steve ...The Mitchell subdivision was established in 2015. Here are a list of names to name the street to establish street addresses.

- 1.Olivia Way
2. Olivia Drive
- 3.Olivia CT

Let me know if any of these work,If not We will come up with other names,.Thank You Joe Sent from my iPhone

Telephone
(914) 277-3539

FAX
(914) 277-3790

*Sent to:
TB, TAF, C
10/2/26
KD*

Town of Somers
WESTCHESTER COUNTY, N.Y.

TOWN HOUSE
ANNEX
337 ROUTE 202
SOMERS, NY 10589

THOMAS J. TOOMA JR.
Building Inspector



DATE: October 1, 2026
MEMO TO: Town Board
FROM: Thomas J. Tooma Jr.
Building Inspector

Re: Request to rescind and replace in entirety Chapter 74 of the Code of the Town of Somers

New York State requires our Local Law as it pertains to Chapter 74 (Building Construction/Article 1 Building Code Administration) to be updated to reflect changes to the state codes. Chapter 74 is this town's local law that permits my office to enforce N.Y. State's codes. The updated version of Chapter 74 was drafted by Town Council and endorsed by me and contains the modifications required by N.Y. State.

Enclosed: Updated Chapter 74

TOWN OF SOMERS
LOCAL LAW __ OF THE YEAR 2026

A LOCAL LAW to amend the Code of the Town of Somers by amending Chapter 74 entitled **Building Construction**;

BE IT ENACTED by the Town Board of the Town of Somers as follows:

1. Article I of Chapter 74 entitled **Building Code Administration** is hereby rescinded.
2. A revised Article I of Chapter 74 entitled **Building Code Administration** is hereby enacted as follows:

§ 74-1 Purpose.

This article provides for the administration and enforcement of the New York State Uniform Fire Prevention and Building Code (the Uniform Code) and the State Energy Conservation Construction Code (the Energy Code) in this Town. This article is adopted pursuant to § 10 of the Municipal Home Rule Law. Except as otherwise provided in the Uniform Code, other state law, or other section of this article, all buildings, structures, and premises, regardless of use or occupancy, are subject to the provisions of this article.

§ 74-2 Definitions.

As used in this article, the following terms shall have the meanings indicated:

ASSEMBLY AREA

An area in any building, or in any portion of a building, that is primarily used or intended to be used for gathering fifty or more persons for uses including, but not limited to, amusement, athletic, entertainment, social, or other recreational functions; patriotic, political, civic, educational, or religious functions; food or drink consumption; awaiting transportation; or similar purposes.

BUILDING PERMIT

A permit issued pursuant to § 74-4 of this article. The term "building permit" shall also include a building permit which is renewed, amended or extended pursuant to any provision of this article.

CERTIFICATE OF OCCUPANCY/CERTIFICATE OF COMPLIANCE

A certificate issued pursuant to § 74-7B of this article.

CODE ENFORCEMENT OFFICER

The Code Enforcement Officer appointed pursuant to §74-3B of this article.

CODE ENFORCEMENT PERSONNEL

Includes the Code Enforcement Officer and all inspectors.

COMPLIANCE ORDER

An order issued by the Code Enforcement Officer pursuant to § 74-15A of this article.

ENERGY CODE

The State Energy Conservation Construction Code, as currently in effect and as hereafter amended from time to time.

FCNYS

The current Fire Code of New York State as currently incorporated by reference in 19 NYCRR Part 1225.

FIRE SAFETY AND PROPERTY MAINTENANCE INSPECTION

An inspection performed to determine compliance with the applicable provisions of 19 NYCRR Part 1225 and the publications incorporated therein by reference and the applicable provisions of 19 NYCRR Part 1226 and the publications incorporated therein by reference.

HAZARDOUS PRODUCTION MATERIALS

A solid, liquid, or gas associated with semiconductor manufacturing that has a degree-of-hazard rating in health, flammability, or instability of Class 3 or 4, as ranked by NFPA 704 (Standard Systems for Identification of the Hazards of Materials for Emergency Response), and which is used directly in research, laboratory, or production processes which have, as their end product, materials that are not hazardous.

INSPECTOR

An inspector appointed pursuant to section 74-3D of this Article.

MOBILE FOOD PREPARATION VEHICLES

Vehicles that contain cooking equipment that produces smoke or grease-laden vapors for the purpose of preparing and serving food to the public. Vehicles intended for private recreation shall not be considered mobile food preparation vehicles.

OPERATING PERMIT

A permit issued pursuant to §74-10 of this article. The term "operating permit" shall also include an operating permit which is renewed, amended or extended pursuant to any provision of this article.

PERMIT HOLDER

The person to whom a building permit has been issued.

PERSON

An individual, corporation, limited-liability company, partnership, limited partnership, business trust, estate, trust, association, or any other legal or commercial entity of any kind or description.

STOP-WORK ORDER

An order issued pursuant to § 74-6 of this article.

SUGARHOUSE

A building used, in whole or in part, for the collection, storage, or processing of maple sap into maple syrup and/or maple sugar.

TEMPORARY CERTIFICATE

A certificate issued pursuant to § 74-7D of this article.

TOWN

The Town of Somers.

UNIFORM CODE

The New York State Uniform Fire Prevention and Building Code, as currently in effect and as hereafter amended from time to time.

§ 74-3. Code Enforcement Officer; inspectors.

A. The office of Code Enforcement Officer is hereby created. The Code Enforcement Officer shall administer and enforce all the provisions of the Uniform Code, the Energy Code and this article. The Code Enforcement Officer shall have the following powers and duties:

- (1) To receive, review, and approve or disapprove applications for building permits, certificates of occupancy/certificates of compliance, temporary certificates and operating permits, and the plans, specifications and construction documents submitted with such applications;
- (2) Upon approval of such applications, to issue building permits, certificates of occupancy/ certificates of compliance, temporary certificates and operating permits, and to include in building permits, certificates of occupancy/certificates of compliance, temporary certificates and operating permits such terms and conditions as the Code Enforcement Officer may determine to be appropriate;
- (3) To conduct construction inspections, inspections to be made prior to the issuance of certificates of occupancy/certificates of compliance, temporary certificates and operating permits, firesafety and property maintenance inspections, inspections incidental to the investigation of complaints, and all other inspections required or permitted under any provision of this article;
- (4) To issue stop-work orders;
- (5) To review and investigate complaints;
- (6) To issue orders pursuant to § 74-15A, Compliance orders, of this article;
- (7) To maintain records;
- (8) To collect fees as set by the Town Board of this Town;
- (9) To pursue administrative enforcement actions and proceedings;
- (10) In consultation with this Town's attorney, to pursue such legal actions and

proceedings as may be necessary to enforce the Uniform Code, the Energy Code and this article, or to abate or correct conditions not in compliance with the Uniform Code, the Energy Code or this article; and

- (11) To exercise all other powers and fulfill all other duties conferred upon the Code Enforcement Officer by this article.
- B. The Code Enforcement Officer shall be appointed by the Town Board. The Code Enforcement Officer shall possess background experience related to building construction or fire prevention and shall, within the time prescribed by law, obtain such basic training, in-service training, advanced in-service training and other training as the State of New York shall require for code enforcement personnel, and the Code Enforcement Officer shall obtain certification from the State Fire Administrator pursuant to the Executive Law and the regulations promulgated thereunder.
- C. In the event that the Code Enforcement Officer is unable to serve as such for any reason, an individual shall be appointed by the Town Board to serve as Acting Code Enforcement Officer. The Acting Code Enforcement Officer shall, during the term of his or her appointment, exercise all powers and fulfill all duties conferred upon the Code Enforcement Officer by this article.
- D. One or more inspectors may be appointed by the Town Board to act under the supervision and direction of the Code Enforcement Officer and to assist the Code Enforcement Officer in the exercise of the powers and fulfillment of the duties conferred upon the Code Enforcement Officer by this article. Each inspector shall, within the time prescribed by law, obtain such basic training, in-service training, advanced in-service training and other training as the State of New York shall require for code enforcement personnel, and each inspector shall obtain certification from the State Fire Administrator pursuant to the Executive Law and the regulations promulgated thereunder.
- E. The compensation for the Code Enforcement Officer and inspectors shall be fixed from time to time by the Town Board of this Town.

§ 74-4. Building permits.

- A. Building permits required. Except as otherwise provided in Subsection B of this section, a building permit shall be required for any work which must conform to the Uniform Code and/or the Energy Code, including, but not limited to, the construction, enlargement, alteration, improvement, removal, relocation or demolition of any building or structure or any portion thereof, and the installation of a solid-fuel-burning heating appliance, chimney or flue in any dwelling unit. No person shall commence any work for which a building permit is required without first having obtained a building permit from the Code Enforcement Officer.
- B. Exemptions. No building permit shall be required for work in any of the following categories:
 - (1) Construction or installation of one-story detached structures associated with one- or two-family dwellings or multiple single-family dwellings (townhouses) which are

used for tool and storage sheds, playhouses or similar uses, provided the gross floor area is less than 144 square feet (13.38 square meters);

- (2) Installation of swings and other playground equipment associated with a one- or two-family dwelling or multiple single-family dwellings (townhouses);
 - (3) Installation of swimming pools associated with a one- or two-family dwelling or multiple single-family dwellings (townhouses) where such pools are designed for a water depth of less than 24 inches and are installed entirely above ground;
 - (4) Installation of fences which are not part of an enclosure surrounding a swimming pool;
 - (5) Construction of retaining walls, unless such walls support a surcharge or impound Class I, II or IIIA liquids;
 - (6) Construction of temporary motion-picture, television and theater stage sets and scenery;
 - (7) Installation of window awnings supported by an exterior wall of a one- or two-family dwelling or multiple single-family dwellings (townhouses);
 - (8) Installation of partitions or movable cases less than five feet nine inches in height;
 - (9) Painting, wallpapering, tiling, carpeting, or other similar finish work;
 - (10) Installation of listed portable electrical, plumbing, heating, ventilation or cooling equipment or appliances;
 - (11) Replacement of any equipment, provided the replacement does not alter the equipment's listing or render it inconsistent with the equipment's original specifications; or
 - (12) Repairs, provided that such repairs do not involve:
 - (a) The removal or cutting away of a load-bearing wall, partition, or portion thereof, or of any structural beam or load-bearing component;
 - (b) The removal or change of any required means of egress; or the rearrangement of parts of a structure in a manner which affects egress;
 - (c) The enlargement, alteration, replacement or relocation of any building system; or
 - (d) The removal from service of all or part of a fire protection system for any period of time.
- C. Exemption not deemed authorization to perform noncompliant work. The exemption from the requirement to obtain a building permit for work in any category set forth in Subsection B of this section shall not be deemed an authorization for work to be performed in violation of the Uniform Code or the Energy Code.
- D. Applications for building permits. Applications for a building permit shall be made in writing on a form provided by or otherwise acceptable to the Code Enforcement Officer. The application shall be signed by the owner of the property where the work is to be

performed or by an authorized agent of the owner. The application shall include such information as the Code Enforcement Officer deems sufficient to permit a determination by the Code Enforcement Officer that the intended work complies with all applicable requirements of the Uniform Code and the Energy Code. The application shall include or be accompanied by the following information and documentation:

- (1) A description of the proposed work;
 - (2) The Tax Map number and the street address of the premises where the work is to be performed;
 - (3) The occupancy classification of any affected building or structure;
 - (4) Where applicable, a statement of special inspections prepared in accordance with the provisions of the Uniform Code; and
 - (5) At least two sets of construction documents (drawings and/or specifications) which:
 - (a) Define the scope of the proposed work;
 - (b) Are prepared by a New York State registered architect or licensed professional engineer where so required by the Education Law;
 - (c) Indicate with sufficient clarity and detail the nature and extent of the work proposed;
 - (d) Substantiate that the proposed work will comply with the Uniform Code and the Energy Code; and
 - (e) Where applicable, include a site plan that shows any existing and proposed buildings and structures on the site, the location of any existing or proposed well or septic system, the location of the intended work, and the distances between the buildings and structures and the lot lines.
- E. Construction documents. Construction documents will not be accepted as part of an application for a building permit unless they satisfy the requirements set forth in Subsection D(5) of this section. Construction documents which are accepted as part of the application for a building permit shall be marked as accepted by the Code Enforcement Officer in writing or by stamp. One set of the accepted construction documents shall be retained by the Code Enforcement Officer, and one set of the accepted construction documents shall be returned to the applicant to be kept at the work site so as to be available for use by the code enforcement personnel. However, the return of a set of accepted construction documents to the applicant shall not be construed as authorization to commence work, nor as an indication that a building permit will be issued. Work shall not be commenced until and unless a building permit is issued.
- F. Issuance of building permits. An application for a building permit shall be examined to ascertain whether the proposed work is in compliance with the applicable requirements of the Uniform Code and Energy Code. The Code Enforcement Officer shall issue a

building permit if the proposed work is in compliance with the applicable requirements of the Uniform Code and Energy Code.

- G. Building permits to be displayed. Building permits shall be visibly displayed at the work site and shall remain visible until the authorized work has been completed.
- H. Work to be performed in accordance with construction documents. All work shall be performed in accordance with the construction documents which were submitted with and accepted as part of the application for the building permit. The building permit shall contain such a directive. The permit holder shall immediately notify the Code Enforcement Officer of any change occurring during the course of the work. The building permit shall contain such a directive. If the Code Enforcement Officer determines that such change warrants a new or amended building permit, such change shall not be made until and unless a new or amended building permit reflecting such change is issued.
- I. Time limits. Building permits shall become invalid unless the authorized work is commenced within six months following the date of issuance. Building permits shall expire 12 months after the date of issuance. A building permit which has become invalid or which has expired pursuant to this subsection may be renewed upon application by the permit holder, payment of the applicable fee, and approval of the application by the Code Enforcement Officer.
- J. Revocation or suspension of building permits. If the Code Enforcement Officer determines that a building permit was issued in error because of incorrect, inaccurate or incomplete information, or that the work for which a building permit was issued violates the Uniform Code or the Energy Code, the Code Enforcement Officer shall revoke the building permit or suspend the building permit until such time as the permit holder demonstrates that all work then completed is in compliance with all applicable provisions of the Uniform Code and the Energy Code and all work then proposed to be performed shall be in compliance with all applicable provisions of the Uniform Code and the Energy Code.
- K. Fee. The fee specified in or determined in accordance with the provisions set forth in § 74-16, Fees, of this article must be paid at the time of submission of an application for a building permit, for an amended building permit, or for renewal of a building permit.

§ 74-5. Construction inspections.

- A. Work to remain accessible and exposed. Work shall remain accessible and exposed until inspected and accepted by the Code Enforcement Officer or by an inspector authorized by the Code Enforcement Officer. The permit holder shall notify the Code Enforcement Officer when any element of work described in Subsection B of this section is ready for inspection.
- B. Elements of work to be inspected. The following elements of the construction process shall be inspected, where applicable:
 - (1) Work site prior to the issuance of a building permit;
 - (2) Footing and foundation;

- (3) Preparation for concrete slab;
 - (4) Framing;
 - (5) Building systems, including underground and rough-in;
 - (6) Fire-resistant construction;
 - (7) Fire-resistant penetrations;
 - (8) Solid-fuel-burning heating appliances, chimneys, flues or gas vents;
 - (9) Energy Code compliance; and
 - (10) A final inspection after all work authorized by the building permit has been completed.
- C. Inspection results. After inspection, the work or a portion thereof shall be noted as satisfactory as completed, or the permit holder shall be notified as to where the work fails to comply with the Uniform Code or Energy Code. Work not in compliance with any applicable provision of the Uniform Code or Energy Code shall remain exposed until such work shall have been brought into compliance with all applicable provisions of the Uniform Code and the Energy Code, reinspected, and found satisfactory as completed.
- D. Fee. The fee specified in or determined in accordance with the provisions set forth in § 74-16, Fees, of this article must be paid prior to or at the time of each inspection performed pursuant to this section.
- E. Remote inspections. At the discretion of the Code Enforcement Officer or Inspector authorized to perform construction inspections, a remote inspection may be performed in lieu of an in-person inspection when, in the opinion of the Code Enforcement Officer or such authorized Inspector, the remote inspection can be performed to the same level and quality as an in-person inspection and the remote inspection shows to the satisfaction of the Code Enforcement Officer or by such authorized Inspector that the elements of the construction process conform with the applicable requirements of the Uniform Code and Energy Code. Should a remote inspection not afford the Code Enforcement Officer or such authorized Inspector sufficient information to make a determination, an in-person inspection shall be performed.

§ 74-6. Stop-work orders.

- A. Authority to issue. The Code Enforcement Officer is authorized to issue stop-work orders pursuant to this section. The Code Enforcement Officer shall issue a stop-work order to halt:
- (1) Any work that is determined by the Code Enforcement Officer to be contrary to any applicable provision of the Uniform Code or Energy Code, without regard to whether such work is or is not work for which a building permit is required, and without regard to whether a building permit has or has not been issued for such work; or
 - (2) Any work that is being conducted in a dangerous or unsafe manner in the opinion of the Code Enforcement Officer, without regard to whether such work is or is not work

for which a building permit is required, and without regard to whether a building permit has or has not been issued for such work; or

- (3) Any work for which a building permit is required which is being performed without the required building permit, or under a building permit that has become invalid, has expired, or has been suspended or revoked.
- B. Content of stop-work orders. Stop-work orders shall be in writing, be dated and signed by the Code Enforcement Officer, state the reason or reasons for issuance, and, if applicable, state the conditions which must be satisfied before work will be permitted to resume.
- C. Service of stop-work orders. The Code Enforcement Officer shall cause the stop-work order, or a copy thereof, to be served on the owner of the affected property (and, if the owner is not the permit holder, on the permit holder) personally or by certified mail. The Code Enforcement Officer shall be permitted, but not required, to cause the stop-work order, or a copy thereof, to be served on any builder, architect, tenant, contractor, subcontractor, construction superintendent, or their agents, or any other person taking part or assisting in work affected by the stop-work order, personally or by certified mail; provided, however, that failure to serve any person mentioned in this sentence shall not affect the efficacy of the stop-work order.
- D. Effect of stop-work order. Upon the issuance of a stop-work order, the owner of the affected property, the permit holder and any other person performing, taking part in or assisting in the work shall immediately cease all work which is the subject of the stop-work order.
- E. Remedy not exclusive. The issuance of a stop-work order shall not be the exclusive remedy available to address any event described in Subsection A of this section, and the authority to issue a stop-work order shall be in addition to, and not in substitution for or limitation of, the right and authority to pursue any other remedy or impose any other penalty under § 74-15, Enforcement; penalties for offenses, of this article or under any other applicable local law or state law. Any such other remedy or penalty may be pursued at any time, whether prior to, at the time of, or after the issuance of a stop-work order.

§ 74-7. Certificates of occupancy/certificates of compliance.

- A. Certificates of occupancy/certificates of compliance required. A certificate of occupancy/certificate of compliance shall be required for any work which is the subject of a building permit and for all structures, buildings, or portions thereof which are converted from one use or occupancy classification or subclassification to another. Permission to use or occupy a building or structure, or portion thereof, for which a building permit was previously issued shall be granted only by issuance of a certificate of occupancy/certificate of compliance.
- B. Issuance of certificates of occupancy/certificates of compliance. The Code Enforcement Officer shall issue a certificate of occupancy/certificate of compliance if the work which was the subject of the building permit was completed in accordance with all applicable provisions of the Uniform Code and Energy Code and, if applicable, the structure, building or portion thereof that was converted from one use or occupancy classification

or subclassification to another complies with all applicable provisions of the Uniform Code and Energy Code. The Code Enforcement Officer or an inspector authorized by the Code Enforcement Officer shall inspect the building, structure or work prior to the issuance of a certificate of occupancy/ certificate of compliance. In addition, where applicable, the following documents, prepared in accordance with the provisions of the Uniform Code by such person or persons as may be designated by or otherwise acceptable to the Code Enforcement Officer, at the expense of the applicant for the certificate of occupancy/certificate of compliance, shall be provided to the Code Enforcement Officer prior to the issuance of the certificate of occupancy/certificate of compliance:

- (1) A written statement of structural observations and/or a final report of special inspections;
- (2) Flood hazard certifications;
- (3) A written statement of the results of tests performed to show compliance with the Energy Code, and
- (4) Where applicable, the affixation of the appropriate seals, insignias, and manufacturer's data plates as required for factory manufactured buildings and/or manufactured homes.

C. Contents of certificates of occupancy/certificates of compliance. A certificate of occupancy/ certificate of compliance shall contain the following information:

- (1) The building permit number, if any;
- (2) The date of issuance of the building permit, if any;
- (3) The name, address and Tax Map number of the property;
- (4) If the certificate of occupancy/certificate of compliance is not applicable to an entire structure, a description of that portion of the structure for which the certificate of occupancy/certificate of compliance is issued;
- (5) The use and occupancy classification of the structure;
- (6) The type of construction of the structure;
- (7) The assembly occupant load of the structure, if any;
- (8) If an automatic sprinkler system is provided, a notation as to whether the sprinkler system is required;
- (9) Any special conditions imposed in connection with the issuance of the building permit; and
- (10) The signature of the Code Enforcement Officer issuing the certificate of occupancy/ certificate of compliance and the date of issuance.

D. Temporary certificate. The Code Enforcement Officer shall be permitted to issue a temporary certificate allowing the temporary occupancy of a building or structure, or a portion thereof, prior to completion of the work which is the subject of a building permit.

However, in no event shall the Code Enforcement Officer issue a temporary certificate unless the Code Enforcement Officer determines that the building or structure, or the portion thereof covered by the temporary certificate, may be occupied safely, that any fire- and smoke-detecting or fire protection equipment which has been installed is operational, and that all required means of egress from the building or structure have been provided. The Code Enforcement Officer may include in a temporary certificate such terms and conditions as he or she deems necessary or appropriate to ensure safety or to further the purposes and intent of the Uniform Code. A temporary certificate shall be effective for a period of time, not to exceed six months, which shall be determined by the Code Enforcement Officer and specified in the temporary certificate. During the specified period of effectiveness of the temporary certificate, the permit holder shall undertake to bring the building or structure into full compliance with all applicable provisions of the Uniform Code and the Energy Code.

- E. Revocation or suspension of certificates. If the Code Enforcement Officer determines that a certificate of occupancy/certificate of compliance or a temporary certificate was issued in error because of incorrect, inaccurate or incomplete information, and if the relevant deficiencies are not corrected to the satisfaction of the Code Enforcement Officer within such period of time as shall be specified by the Code Enforcement Officer, the Code Enforcement Officer shall revoke or suspend such certificate.
- F. Fee. The fee specified in or determined in accordance with the provisions set forth in § 74-16, Fees, of this article must be paid at the time of submission of an application for a certificate of occupancy/certificate of compliance or for a temporary certificate.

§ 74-8. Notification regarding fire or explosion.

The chief of any fire department providing fire-fighting services for a property within this Town shall promptly notify the Code Enforcement Officer of any fire or explosion involving any structural damage, fuel-burning appliance, chimney or gas vent.

§ 74-9. Unsafe buildings and structures.

Unsafe structures and equipment in this Town shall be identified and addressed in accordance with the procedures established by Chapter 77 of the Code, as now in effect or as hereafter amended from time to time.

§ 74-10. Operating permits.

- A. Operating permits required.
 - (1) Operating permits shall be required for conducting the activities or using the categories of buildings listed below:
 - (a) Manufacturing, storing or handling hazardous materials in quantities exceeding those listed in Table 2703.1.1(1), 2703.1.1(2), 2703.1.1(3) or 2703.1.1(4) in the publication entitled "Fire Code of New York State" and incorporated by reference in 19 NYCRR 1225.1;
 - (b) Hazardous processes and activities, including but not limited to commercial and

industrial operations which produce combustible dust as a byproduct, fruit and crop ripening, and waste handling;

- (c) Use of pyrotechnic devices in assembly occupancies;
 - (d) Buildings containing one or more areas of public assembly with an occupant load of 100 persons or more;
 - (e) Buildings whose use or occupancy classification may pose a substantial potential hazard to public safety, as determined by resolution adopted by the Town Board of this Town;
 - (f) Conducting an alternative activity at a sugarhouse; and
 - (g) Operating a food preparation vehicle.
- (2) Any person who proposes to undertake any activity or to operate any type of building listed in this Subsection A shall be required to obtain an operating permit prior to commencing such activity or operation.
- B. Applications for operating permits. An application for an operating permit shall be in writing on a form provided by or otherwise acceptable to the Code Enforcement Officer. Such application shall include such information as the Code Enforcement Officer deems sufficient to permit a determination by the Code Enforcement Officer that quantities, materials, and activities conform to the requirements of the Uniform Code. If the Code Enforcement Officer determines that tests or reports are necessary to verify conformance, such tests or reports shall be performed or provided by such person or persons as may be designated by or otherwise acceptable to the Code Enforcement Officer, at the expense of the applicant.
- C. Inspections. The Code Enforcement Officer or an inspector authorized by the Code Enforcement Officer shall inspect the subject premises prior to the issuance of an operating permit.
- D. Multiple activities. In any circumstance in which more than one activity listed in Subsection A of this section is to be conducted at a location, the Code Enforcement Officer may require a separate operating permit for each such activity, or the Code Enforcement Officer may, in his or her discretion, issue a single operating permit to apply to all such activities.
- E. Duration of operating permits. Operating permits shall be issued for such period of time, not to exceed one year in the case of any operating permit issued for an area of public assembly and not to exceed three years in any other case, as shall be determined by the Code Enforcement Officer to be consistent with local conditions. The effective period of each operating permit shall be specified in the operating permit. An operating permit may be reissued or renewed upon application to the Code Enforcement Officer, payment of the applicable fee, and approval of such application by the Code Enforcement Officer.
- (1) Operating permits for tents, special event structures, and other membrane structures shall not exceed one hundred eighty (180) days; and

- (2) Operating permits for alternative activities at a sugarhouse shall not exceed sixty (60) days.
- F. Revocation or suspension of operating permits. If the Code Enforcement Officer determines that any activity or building for which an operating permit was issued does not comply with any applicable provision of the Uniform Code, such operating permit shall be revoked or suspended.
- G. Fee. The fee specified in or determined in accordance with the provisions set forth in § 74-16, Fees, of this article must be paid at the time of submission of an application for an operating permit, for an amended operating permit, or for reissue or renewal of an operating permit.

§ 74-11. Firesafety and property maintenance inspections.

- A. Inspections required. Firesafety and property maintenance inspections of buildings and structures shall be performed by the Code Enforcement Officer or an inspector designated by the Code Enforcement Officer at the following intervals:
 - (1) Firesafety and property maintenance inspections of buildings or structures which contain an area of public assembly shall be performed at least once every 12 months.
 - (2) Firesafety and property maintenance inspections of buildings or structures being occupied as dormitories shall be performed at least once every 12 months.
 - (3) Firesafety and property maintenance inspections of all multiple dwellings not included in Subsection A(1) or (2), and all nonresidential buildings, structures, uses and occupancies not included in Subsection A(1) or (2) shall be performed at least once every 36 months.
- B. Inspections permitted. In addition to the inspections required by Subsection A of this section, a firesafety and property maintenance inspection of any building, structure, use, or occupancy, or of any dwelling unit, may also be performed by the Code Enforcement Officer or an inspector designated by the Code Enforcement Officer at any time upon: the request of the owner of the property to be inspected or an authorized agent of such owner; receipt by the Code Enforcement Officer of a written statement alleging that conditions or activities failing to comply with the Uniform Code or Energy Code exist; or receipt by the Code Enforcement Officer of any other information, reasonably believed by the Code Enforcement Officer to be reliable, giving rise to reasonable cause to believe that conditions or activities failing to comply with the Uniform Code or Energy Code exist; provided, however, that nothing in this subsection shall be construed as permitting an inspection under any circumstances under which a court order or warrant permitting such inspection is required, unless such court order or warrant shall have been obtained.
- C. OFPC inspections. Nothing in this section or in any other provision of this article shall supersede, limit or impair the powers, duties and responsibilities of the New York State Office of Fire Prevention and Control ("OFPC") and the New York State Fire Administrator under Executive Law § 156-e and Education Law § 807-b. Notwithstanding

any other provision of this section to the contrary:

- (1) The Code Enforcement Officer shall not perform firesafety and property maintenance inspections of a building or structure which contains an area of public assembly if OFPC performs firesafety and property maintenance inspections of such building or structure at least once every 12 months;
 - (2) The Code Enforcement Officer shall not perform firesafety and property maintenance inspections of a building or structure occupied as a dormitory if OFPC performs firesafety and property maintenance inspections of such building or structure at least once every 12 months;
 - (3) The Code Enforcement Officer shall not perform firesafety and property maintenance inspections of a multiple dwelling not included in Subsection A(1) or (2) of this section if OFPC performs firesafety and property maintenance inspections of such multiple dwelling at intervals not exceeding the interval specified in Subsection A(3) of this section; and
 - (4) The Code Enforcement Officer shall not perform firesafety and property maintenance inspections of a nonresidential building, structure, use or occupancy not included in Subsection A(1) or (2) of this section if OFPC performs firesafety and property maintenance inspections of such nonresidential building, structure, use or occupancy at intervals not exceeding the interval specified in Subsection A(3) of this section.
- D. Fee. The fee specified in or determined in accordance with the provisions set forth in § 74-16, Fees, of this article must be paid prior to or at the time of each inspection performed pursuant to this section. This subsection shall not apply to inspections performed by OFPC.

§ 74-12 Condition Assessments of Parking Garages.

A. Definitions. For the purposes of this section:

- (1) the term “condition assessment” means an on-site inspection and evaluation of a parking garage for evidence of deterioration of any structural element or building component of such parking garage, evidence of the existence of any unsafe condition in such parking garage, and evidence indicating that such parking garage is an unsafe structure;
- (2) the term “deterioration” means the weakening, disintegration, corrosion, rust, or decay of any structural element or building component, or any other loss of effectiveness of a structural element or building component;
- (1) the term “parking garage” means any building or structure, or part thereof, in which all or any part of any structural level or levels is used for parking or storage of motor vehicles, excluding:

- (a) buildings in which the only level used for parking or storage of motor vehicles is on grade;
 - (b) an attached or accessory structure providing parking exclusively for a detached one- or two-family dwelling; and
 - (c) a townhouse unit with attached parking exclusively for such unit;
- (2) the term “professional engineer” means an individual who is licensed or otherwise authorized under Article 145 of the Education Law to practice the profession of engineering in the State of New York and who has at least three years of experience performing structural evaluations;
 - (3) the term “responsible professional engineer” means the professional engineer who performs a condition assessment, or under whose supervision a condition assessment is performed, and who seals and signs the condition assessment report. The use of the term “responsible professional engineer” shall not be construed as limiting the professional responsibility or liability of any professional engineer, or of any other licensed professional, who participates in the preparation of a condition assessment without being the responsible professional engineer for such condition assessment;
 - (6) the term “unsafe condition” includes the conditions identified as “unsafe” in section 304.1.1, section 305.1.1, and section 306.1.1 of the PMCNYS; and
 - (7) the term “unsafe structure” means a structure that is so damaged, decayed, dilapidated, or structurally unsafe, or is of such faulty construction or unstable foundation, that partial or complete collapse is possible.
- B. Condition Assessments – general requirements. The owner operator of each parking garage shall cause such parking garage to undergo an initial condition assessment as described in subdivision C of this section, periodic condition assessments as described in subdivision D of this section, and such additional condition assessments as may be required under subdivision E of this section. Each condition assessment shall be conducted by or under the direct supervision of a professional engineer. A written report of each condition assessment shall be prepared, and provided to the Town, in accordance with the requirements of subdivision F of this section. Before performing a condition assessment (other than the initial condition assessment) of a parking garage, the responsible professional engineer for such condition assessment shall review all available previous condition assessment reports for such parking garage.
- C. Initial Condition Assessment. Each parking garage shall undergo an initial condition assessment as follows:
- (1) Parking garages constructed on or after August 29, 2018, shall undergo an initial condition assessment following construction and prior to a certificate of occupancy or certificate of compliance being issued for the structure.

- (2) Any parking garage constructed prior to the effective date of this Article that has not undergone a prior initial condition assessment shall undergo an initial condition assessment within six (6) months after the effective date of this Article.
- D. Periodic Condition Assessments. Following the initial condition assessment of a parking garage, such parking garage shall undergo periodic condition assessments at intervals not to exceed three (3) years.
- E. Additional Condition Assessments.
- (1) If the latest condition assessment report for a parking garage includes a recommendation by the responsible professional engineer that an additional condition assessment of such parking garage, or any portion of such parking garage, be performed before the date by which the next periodic condition assessment would be required under subdivision C of this section, the owner or operator of such parking garage shall cause such parking garage (or, if applicable, the portion of such parking garage identified by the responsible professional engineer) to undergo an additional condition assessment no later than the date recommended in such condition assessment report.
- (2) If the Town becomes aware of any new or increased deterioration which, in the judgment of the Town, indicates that an additional condition assessment of the entire parking garage, or of the portion of the parking garage affected by such new or increased deterioration, should be performed before the date by which the next periodic condition assessment would be required under subdivision C of this section, the owner or operator of such parking garage shall cause such parking garage (or, if applicable, the portion of the parking garage affected by such new or increased deterioration) to undergo an additional condition assessment no later than the date determined by the Town to be appropriate.
- F. Condition Assessment Reports. The responsible professional engineer shall prepare, or directly supervise the preparation of, a written report of each condition assessment, and shall submit such condition assessment report to the Town within ninety (90) days. Such condition assessment report shall be sealed and signed by the responsible professional engineer, and shall include:
- (1) an evaluation and description of the extent of deterioration and conditions that cause deterioration that could result in an unsafe condition or unsafe structure;
- (2) an evaluation and description of the extent of deterioration and conditions that cause deterioration that, in the opinion of the responsible professional engineer, should be remedied immediately to prevent an unsafe condition or unsafe structure;
- (3) an evaluation and description of the unsafe conditions;

- (4) an evaluation and description of the problems associated with the deterioration, conditions that cause deterioration, and unsafe conditions;
 - (5) an evaluation and description of the corrective options available, including the recommended timeframe for remedying the deterioration, conditions that cause deterioration, and unsafe conditions;
 - (6) an evaluation and description of the risks associated with not addressing the deterioration, conditions that cause deterioration, and unsafe conditions;
 - (7) the responsible professional engineer's recommendation regarding preventative maintenance;
 - (8) except in the case of the report of the initial condition assessment, the responsible professional engineer's attestation that he or she reviewed all previously prepared condition assessment reports available for such parking garage, and considered the information in the previously prepared reports while performing the current condition assessment and while preparing the current report; and
 - (9) the responsible professional engineer's recommendation regarding the time within which the next condition assessment of the parking garage or portion thereof should be performed. In making the recommendation regarding the time within which the next condition assessment of the parking garage or portion thereof should be performed, the responsible professional engineer shall consider the parking garage's age, maintenance history, structural condition, construction materials, frequency and intensity of use, location, exposure to the elements, and any other factors deemed relevant by the responsible professional engineer in their professional judgment.
- G. Review Condition Assessment Reports. The Town shall take such enforcement action or actions in response to the information in such condition assessment report as may be necessary or appropriate to protect the public from the hazards that may result from the conditions described in such report. In particular, but not by way of limitation, the Town shall, by Order to Remedy or such other means of enforcement as the Town may deem appropriate, require the owner or operator of the parking garage to repair or otherwise remedy all deterioration, all conditions that cause deterioration, and all unsafe conditions identified in such condition assessment report pursuant to paragraphs (2) and (3) of subdivision F. All repairs and remedies shall comply with the applicable provisions of the Uniform Code. This section shall not limit or impair the right of the Town to take any other enforcement action, including but not limited to suspension or revocation of a parking garage's operating permit, as may be necessary or appropriate in response to the information in a condition assessment report.
- H. The Town shall retain all condition assessment reports for the life of the parking garage. Upon request by a professional engineer who has been engaged to perform a condition assessment of a parking garage, and who provides the Town with a written statement attesting to the fact that he or she has been so engaged, the Town shall make the previously

prepared condition assessment reports for such parking garage (or copies of such reports) available to such professional engineer. The Town shall be permitted to require the owner or operator of the subject parking garage to pay all costs and expenses associated with making such previously prepared condition assessment reports (or copies thereof) available to the professional engineer.

(1) This section shall not limit or impair the right or the obligation of the Town:

- (a) to perform such construction inspections as are required by section 74-5 (Construction inspections) of this Article;
- (b) to perform such periodic fire safety and property maintenance inspections as are required by section 74-11 (Fire safety and property maintenance inspections) of this Article; and/or
- (c) to take such enforcement action or actions as may be necessary or appropriate to respond to any condition that comes to the attention of the Town by means of its own inspections or observations, by means of a complaint, or by any other means other than a condition assessment or a report of a condition assessment.

§ 74-13. Complaints.

The Code Enforcement Officer shall review and investigate complaints which allege or assert the existence of conditions or activities that fail to comply with the Uniform Code, the Energy Code, this article, or any other local law, ordinance or regulation adopted for administration and enforcement of the Uniform Code or the Energy Code. The process for responding to a complaint shall include such of the following steps as the Code Enforcement Officer may deem to be appropriate:

- A. Performing an inspection of the conditions and/or activities alleged to be in violation, and documenting the results of such inspection;
- B. If a violation is found to exist, providing the owner of the affected property and any other person who may be responsible for the violation with notice of the violation and opportunity to abate, correct or cure the violation, or otherwise proceeding in the manner described in § 74-15, Enforcement; penalties for offenses, of this article;
- C. If appropriate, issuing a stop-work order;
- D. If a violation which was found to exist is abated or corrected, performing an inspection to ensure that the violation has been abated or corrected, preparing a final written report reflecting such abatement or correction, and filing such report with the complaint.

74-14. Recordkeeping.

- A. The Code Enforcement Officer shall keep permanent official records of all transactions and activities conducted by all code enforcement personnel, including records of:

- (1) All applications received, reviewed and approved or denied;
 - (2) All plans, specifications and construction documents approved;
 - (3) All building permits, certificates of occupancy/certificates of compliance, temporary certificates, stop-work orders, and operating permits issued;
 - (4) All inspections and tests performed;
 - (5) All statements and reports issued;
 - (6) All complaints received;
 - (7) All investigations conducted;
 - (8) All other features and activities specified in or contemplated by §§ 74-4 through 74-12, inclusive, of this article; and
 - (9) All fees charged and collected.
- B. All such records shall be public records open for public inspection during normal business hours. All plans and records pertaining to buildings or structures, or appurtenances thereto, shall be retained for at least the minimum time period so required by state law and regulation.

§ 74-15. Program review and reporting.

- A. The Code Enforcement Officer shall annually submit to the Town Board of this Town a written report and summary of all business conducted by the Code Enforcement Officer and the inspectors, including a report and summary of all transactions and activities described in § 74-13, Recordkeeping, of this article and a report and summary of all appeals or litigation pending or concluded.
- B. The Code Enforcement Officer shall annually submit to the Secretary of State, on behalf of this Town, on a form prescribed by the Secretary of State, a report of the activities of this Town relative to administration and enforcement of the Uniform Code.
- C. The Code Enforcement Officer shall, upon request of the New York State Department of State, provide to the New York State Department of State, from the records and related materials this Town is required to maintain, excerpts, summaries, tabulations, statistics and other information and accounts of the activities of this Town in connection with administration and enforcement of the Uniform Code.

§ 74-16. Enforcement; penalties for offenses.

- A. Compliance orders. The Code Enforcement Officer is authorized to order, in writing, the remedying of any condition or activity found to exist in, on or about any building, structure, or premises in violation of the Uniform Code, the Energy Code, or this article. Upon finding that any such condition or activity exists, the Code Enforcement Officer shall issue a compliance order. The compliance order shall be in writing; be dated and

signed by the Code Enforcement Officer; specify the condition or activity that violates the Uniform Code, the Energy Code, or this article; specify the provision or provisions of the Uniform Code, the Energy Code, or this article which is/are violated by the specified condition or activity; specify the period of time which the Code Enforcement Officer deems to be reasonably necessary for achieving compliance; direct that compliance be achieved within the specified period of time; and state that an action or proceeding to compel compliance may be instituted if compliance is not achieved within the specified period of time. The Code Enforcement Officer shall cause the compliance order, or a copy thereof, to be served on the owner of the affected property personally or by certified mail. The Code Enforcement Officer shall be permitted, but not required, to cause the compliance order, or a copy thereof, to be served on any builder, architect, tenant, contractor, subcontractor, construction superintendent, or their agents, or any other person taking part or assisting in work being performed at the affected property personally or by certified mail; provided, however, that failure to serve any person mentioned in this sentence shall not affect the efficacy of the compliance order.

- B. Appearance tickets. The Code Enforcement Officer and each inspector are authorized to issue appearance tickets for any violation of the Uniform Code.
- C. Penalties. In addition to such other penalties as may be prescribed by State law,
 - (1) any Person who violates any provision of this Article or any term, condition, or provision of any Building Permit, Certificate of Occupancy, Certificate of Compliance, Temporary Certificate, Stop Work Order, Operating Permit or other notice or order issued by the Code Enforcement Officer pursuant to any provision of this Article, shall be punishable by a fine of not more than five hundred (\$500) dollars per day of violation, or imprisonment not exceeding fifteen (15) days, or both; and
 - (2) any Person who violates any provision of the Uniform Code, the Energy Code or this Article, or any term or condition of any Building Permit, Certificate of Occupancy, Certificate of Compliance, Temporary Certificate, Stop Work Order, Operating Permit or other notice or order issued by the Code Enforcement Officer pursuant to any provision of this Article, shall be liable to pay a civil penalty of not more than five hundred (\$500.00) dollars for each day or part thereof during which such violation continues. The civil penalties provided by this paragraph shall be recoverable in an action instituted in the name of this Town.
- D. Injunctive relief. An action or proceeding may be instituted in the name of this Town, in a court of competent jurisdiction, to prevent, restrain, enjoin, correct, or abate any violation of, or to enforce, any provision of the Uniform Code, the Energy Code, this article, or any term or condition of any building permit, certificate of occupancy/certificate of compliance, temporary certificate, stop-work order, operating permit, compliance order, or other notice or order issued by the Code Enforcement Officer pursuant to any provision of this article. In particular, but not by way of limitation, where the construction or use of a building or structure is in violation of any provision of the Uniform Code, the Energy Code, this article, or any stop-work order, compliance order or other order obtained under the

Uniform Code, the Energy Code or this article, an action or proceeding may be commenced in the name of this Town, in the Supreme Court or in any other court having the requisite jurisdiction, to obtain an order directing the removal of the building or structure or an abatement of the condition in violation of such provisions. No action or proceeding described in this subsection shall be commenced without the appropriate authorization from the Town Board of this Town.

- E. Remedies not exclusive. No remedy or penalty specified in this section shall be the exclusive remedy or penalty available to address any violation described in this section, and each remedy or penalty specified in this section shall be in addition to, and not in substitution for or limitation of, the other remedies or penalties specified in this section, in § 74-6, Stop-work orders, of this article, in any other section of this article, or in any other applicable law. Any remedy or penalty specified in this section may be pursued at any time, whether prior to, simultaneously with, or after the pursuit of any other remedy or penalty specified in this section, in § 74-6, Stop-work orders, of this article, in any other section of this article, or in any other applicable law. In particular, but not by way of limitation, each remedy and penalty specified in this section shall be in addition to, and not in substitution for or limitation of, the penalties specified in Subdivision (2) of § 382 of the Executive Law, and any remedy or penalty specified in this section may be pursued at any time, whether prior to, simultaneously with, or after the pursuit of any penalty specified in Subdivision (2) of § 382 of the Executive Law.

74-17. Fees.

A fee schedule shall be established by local law of the Town Board of this Town. Such fee schedule may thereafter be amended from time to time. The fees set forth in, or determined in accordance with, such fee schedule or amended fee schedule shall be charged and collected for the submission of applications, the issuance of building permits, amended building permits, renewed building permits, certificates of occupancy/certificates of compliance, temporary certificates, operating permits, firesafety and property maintenance inspections, and other actions of the Code Enforcement Officer described in or contemplated by this article.

§ 74-18. Intermunicipal agreements.

The Town Board of this Town may, by resolution, authorize the Town Supervisor of this Town to enter into an agreement, in the name of this Town, with other governments to carry out the terms of this article, provided that such agreement does not violate any provision of the Uniform Code, the Energy Code, Part 1203 of Title 19 of the NYCRR, or any other applicable law.

§ 74-19. Conflicts.

In the event any section of this article conflicts with any other section of a local law, the more restrictive provision or law shall, in all instances, be applicable.

§ 74-20. Severability.

If any section of this article shall be held unconstitutional, invalid, or ineffective, in whole or

in part, such determination shall not be deemed to affect, impair, or invalidate the remainder of this article.

3. **Effective Date.** This local law shall take effect immediately upon filing with the Secretary of State of the State of New York.

Sent to:
TB, TA, TC
10/2/26
KO

At a meeting of the Town Board of the Town of Somers at the Town Hall, 335 Route 202, Somers, New York in the Town of Somers, Westchester County, New York, on the ____ day of October, 2026, at 7:00 p.m.

P R E S E N T :

Hon. Robert Scorrano
Anthony Ciriaco
William Faulkner
Richard Clinchy
Gina Arena

-----X

In the Matter of the Establishment of the Somers
Water District No. 2 in the Town of Somers,
Westchester County, New York, pursuant to
Article 12-A of the Town Law

FINAL ORDER
ESTABLISHING
DISTRICT

-----X

WHEREAS, the Town Board of the Town of Somers, County of Westchester, State of New York (the "Town Board"), has considered the establishment of a water district to be known as Somers Water District No. 2 (the "District"), pursuant to Article 12-A of the New York State Town Law; and

WHEREAS, a map, plan and report dated July 8, 2026 (the "Map, Plan and Report") was prepared by Woodard & Curran, engineers duly licensed by New York State, describing the improvements necessary to the establishment of the District, and duly presented to the Town Board in such manner and in such detail as required by the Town Board; and

WHEREAS, the Map, Plan and Report was filed with the Town Clerk on July 9, 2026 and made available for public inspection during normal business hours, as required by law; and

WHEREAS, an Order Calling Public Hearing (the "Order") was duly adopted by the Town Board on July 9, 2026, reciting: (a) the nature and general scope of the improvements to be made; (b) a general plan of the proposed District, including the transmission mains and appurtenant facilities to be connected to the existing water mains; (c) the improvements proposed; (d) the boundaries of the proposed District; (e) the estimated maximum cost of the proposed improvements; and (f) specifying August 6, 2026, at 7:00 p.m. as the time and the Town Hall in said Town as the place where the Town Board would meet to consider the establishment of the District and the improvements described in the Map, Plan and Report, and to hear all persons interested in the subject thereof, concerning the same; and

WHEREAS, the Order was duly posted and published as required by law; and

WHEREAS, certified copies of the Order were duly filed in the Office of the New York State Comptroller and Westchester County Clerk on July 22, 2026, as required by law; and

WHEREAS, a hearing in the matter was duly held by the Town Board on the August 6, 2026, commencing at 7:00 p.m. o'clock at the Town Hall in said Town and considerable discussion upon the matter having been had, and all persons desiring to be heard having been duly heard and thereupon the hearing being duly closed; and

WHEREAS, the Town Board as Lead Agency under SEQRA adopted a Negative Declaration on August 6, 2026, having conducted a complete environmental review under SEQRA; and

WHEREAS, following the public hearing and based upon evidence given at said public hearing on August 6, 2026, the Town Board adopted a resolution determining in the affirmative all the questions set forth in Town Law Section 209-e(1) (the "Findings and Determinations"), that is: (a) the notice of hearing was published and posted as required by law, and is otherwise sufficient; (b) all the property and property owners within the proposed district are benefitted thereby; (c) all the property and property owners benefitted are included within the limits of the proposed district; and (d) that establishment of such district is in the public interest; and

WHEREAS, certified copies of the Findings and Determinations were filed with the Office of the Westchester County Clerk, on August 20, 2026, and with the Office of the New York State Comptroller, on August 18, 2026, as required by Town Law Section 209-e; and

WHEREAS, following the adoption of the Findings and Determinations on August 6, 2026, the Town Board adopted a resolution for the preliminary establishment of the District in accordance with Town Law Section 209-e (the "Preliminary Resolution"), which resolution was subject to permissive referendum pursuant to Article 7 of the New York State Town Law; and

WHEREAS, certified copies of the Preliminary Resolution were filed with the Office of the Westchester County Clerk, on August 20, 2026, and with the Officer of the New York State Comptroller, on August 18, 2026, as required by Town Law Section 209-e; and

WHEREAS, in accordance with Town Law, Article 7, the Town Clerk did duly cause to be published in the Journal News a notice of permissive referendum, and said notice was published on August 13, 2026; and

WHEREAS, no petition requesting the matter be submitted to a referendum being filed with the Town Clerk on or before September 14, 2026, the Town Clerk did execute a certificate of non-referendum stating such fact, and a copy of said certificate is attached hereto and will be filed with this Final Order in the Office of the Westchester Co, in accordance with Town Law Section 209-e; and

NOW, on motion of Councilman _____, seconded by Councilman _____, it
is hereby

ORDERED, that a water district in the Town of Somers, County of Westchester, State of New York, pursuant to proceedings undertaken in accordance with Article 12-A of the New York State Town Law, to be known as Somers Water District No. 2, is hereby established pursuant to Town Law subdivision 209-f(2); and it is further

ORDERED, that Somers Water District No. 2 shall be bounded and described according to real property tax map designations as set forth in **SCHEDULE A**, attached hereto and made part hereof, and in the Map, Plan, and Report entitled "Somers Water District No. 2" prepared by Woodard & Curran, dated July 8, 2026, and filed in the office of the Town Clerk, to which reference is hereby made for a more particular description; and it is further

ORDERED, that the improvements to be provided for the Somers Water District No. 2 shall include the acquisition, construction, and installation of a public water supply improvements, together with site restoration and all professional, legal, financing, and administrative costs, at the maximum estimated cost of the improvements and the first year costs to a typical property, as set forth in the Map, Plan, and Report, is hereby authorized; and it is further

ORDERED, that the cost of operation, maintenance, and other charges for the Somers Water District No. 2 shall be assessed, levied, and collected from the properties within the District in the manner set forth in the Map, Plan, and Report and as permitted by law; and it is further

ORDERED, within ten (10) days of the adoption of this Order, the Town Clerk is hereby directed to cause a certified copy of this Order to be (a) filed and record, together with the map and a description of the boundaries of the Somers Water District No. 2, in the Office of the Westchester County Clerk; and (b) filed in the Office of the New York State Department of Audit and Control at Albany, New York as required by Town Law Section 209-g.

The adoption of the foregoing order was duly put to vote, and on a roll call the vote was as follows:

Hon. Robert Scorrano	voting ____
Anthony Ciriaco	voting ____
William Faulkner	voting ____
Richard Clinchy	voting ____
Thomas Garrity	voting ____

and the order was thereupon declared duly adopted.

Dated: Somers, New York
October ____, 2026

BY ORDER OF THE TOWN BOARD
TOWN OF SOMERS

Patricia Kalba, *Town Clerk*

SCHEDULE A

Tax Map Designation (Section, Block, Lot)	Street Address
17.11-1-18	339 Route 202, Somers, New York
17.11-1-19	337 Route 202, Somers, New York
17.11-1-20	335 Route 202, Somers, New York
17.11-1-21	265 Route 202, Somers, New York
17.11-1-22	263 Route 202, Somers, New York
17.11-1-23	261 Route 202, Somers, New York
17.11-1-27	253 Route 202, Somers, New York
17.11-1-4	343 Route 202, Somers, New York
17.11-1-5	341 Route 202, Somers, New York
17.11-2-1	338 Route 202, Somers, New York
17.11-2-2	342 Route 202, Somers, New York
17.11-2-3	344 Route 202, Somers, New York
17.11-2-4	346 Route 202, Somers, New York
17.15-1-1	270 Route 202, Somers, New York
17.15-1-2	272 Route 202, Somers, New York
17.15-1-5	278 Route 202, Somers, New York
17.15-1-6	280 Route 202, Somers, New York

CERTIFICATION

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

I, the undersigned Town Clerk of the Town of Somers, Westchester County, New York, DO
HEREBY CERTIFY:

That the annexed preceding Final Order Establishing Somers Water District No. 2 pursuant
to New York Town Law Article 12-A, with the original thereof filed in my office was duly adopted
by the Town Board of the Town of Somers at a regular meeting held on October ____, 2026 at
7:00 p.m. at 335 Route 202, Somers, New York, at which a quorum was present and acting
throughout, and that said Resolution has not been amended, rescinded, or revoked and remains in
full force and effect.

I FURTHER CERTIFY that the annexed Final Order is a true and correct copy of the
original Final Order Establishing Somers Water District No. 2 duly filed and of record in the Office
of the Town Clerk of the Town of Somers, and that the same is on file among the official minutes
and records maintained by me in said office.

I FURTHER CERTIFY that all members of said Board had due notice of said meeting.

I FURTHER CERTIFY that, PURSUANT TO Section 103 of the Public Officers Law
(Open Meetings Law), said meeting was open to the general public.

I FURTHER CERTIFY that, PRIOR to the time of said meeting, the time and place of all
regular meetings of the Town Board for the year were announced at an Organizational Meeting
held in January 2026.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town
on October ____, 2026.

Patricia Kalba, Town Clerk
Town of Somers

(Corporate Seal)

Sent to:
TB, TA, TC
10/2/26
KD

Woodard & Curran Engineering
and Geological Services P.A. P.C.
800 Westchester Avenue | Suite N507
Rye Brook, New York 10573
www.woodardcurran.com

T 800.426.4262
T 914.448.2266
F 914.448.0147

Via Electronic Mail

October 1, 2026



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

Re: Somers Water District #2/BHP Water Main Project - Town House PFAS NOV
Supplemental Proposal for Professional Engineering Services
Final Design, Permitting, and Bidding

Dear Supervisor Scorrano,

Woodard & Curran is pleased to provide the Town of Somers (Town) with this proposal for continued Professional Engineering Services associated with the proposed approximately 2,050 linear-foot water main along Route 202. This water main will serve the newly-formed Somers Water District #2.

Woodard & Curran has provided the Town with planning for infrastructure along this corridor dating back to 2016, and more intensively following the Town House PFAS exceedance in 2021. The original scope included preliminary design and initial Westchester County Department of Health (WCDOH) permitting for a proposed 8-inch cement-lined ductile iron water main to provide public water supply source to a portion of the Business-Historic Preservation District around the Town House. Woodard & Curran supported the Town with its funding applications and successful award of funds from the Water Infrastructure Improvement Act, Congressionally-directed community funding, and Bipartisan Infrastructure Law – Emerging Contaminants funds. Most recently, the Town approved the formation of Somers Water District #2 to encompass this project.

Now in the final stages of design, additional coordination and design updates are required to make the project ready for construction. These services include coordination of subsurface investigations, incorporation of survey, soil and boring information into the design, revisions associated with New York State Department of Transportation (NYSDOT) requirements, coordination related to potential grant funding, continued coordination with Veolia, and updates to the previously developed design documents.

SCOPE OF WORK

Task 1 – Survey and Existing Conditions

Woodard & Curran will obtain and/or coordinate the survey information necessary to advance the current design.

Services will include:



Deliverables – NYSDOT input will be incorporated into Final Design and bid package.

Task 4 – Veolia Coordination

Woodard & Curran will continue coordination with Veolia regarding the proposed connection to the Heritage Hills Water District and the requirements necessary to advance the project.

Services will include:

- Coordination with Veolia regarding the proposed water main connection.
- Review of current Veolia requirements applicable to the project.
- Coordination regarding proposed connection points and system operation.
- Review of available water system information.
- Coordination regarding anticipated water demands and service requirements.
- Coordination regarding the status of approvals associated with expansion of the water district.
- Participation in meetings and correspondence with Veolia.
- Incorporation of applicable Veolia requirements into the revised design.
- Updating the design based on Veolia comments and requirements.

Regulatory approvals that are the responsibility of Veolia or other third parties will remain the responsibility of those parties. Woodard & Curran will provide technical coordination and incorporate applicable requirements into the project design.

Deliverables – Veolia input will be incorporated into Final Design and bid package.

Task 5 – Department of Health Notice of Violation Coordination

Woodard & Curran will provide technical coordination and engineering support related to the ongoing Department of Health Notice of Violation (NOV) affecting the Town's water system and the relationship of the NOV to the Somers Water District #2 project.

Services will include:

- Review of available documentation and correspondence associated with the ongoing Notice of Violation.
- Coordination with the Town regarding the current status of the NOV and applicable Department of Health requirements.
- Coordination with the Westchester County Department of Health and New York State Department of Health regarding project-related requirements, as applicable.
- Evaluation of how the current NOV and associated regulatory requirements may affect the proposed water main project.
- Coordination of the proposed water main as a potential component of the Town's efforts to address applicable water supply and water quality concerns associated with the NOV.
- Incorporation of applicable Department of Health requirements into the revised design.
- Coordination of technical information requested by the Department of Health.
- Participation in meetings and correspondence with the Town and Department of Health regarding the project through May 2027.
- Updating project documentation, design criteria, and supporting technical information based on applicable Department of Health comments or requirements.



- Coordination of the Department of Health requirements with the revised design, Veolia requirements, NYSDOT requirements, and other project considerations.
- The scope assumes coordination and technical support related to the NOV and does not constitute legal or regulatory representation of the Town. Woodard & Curran will coordinate with the Town and the Department of Health regarding technical and engineering matters; determination of legal or regulatory compliance and any formal response to the NOV will remain the responsibility of the Town and its legal counsel, as applicable.

Deliverables – Attendance at meetings with NYSDOH and preparation of technical information to support ongoing updates for the NOV.

Task 6 – Final Design and Permitting

Following completion of the field investigations and coordination described above, Woodard & Curran will prepare final design and permitting documents reflecting the current project requirements and modifications to the original design.

The updated design is anticipated to include:

- Cover sheet and general project information.
- Existing and proposed site plans.
- Water main plan and profile drawings.
- Revised water main alignment.
- Utility coordination information.
- Water main, hydrant, valve, connection, and appurtenance details.
- Roadway restoration and related details.
- Construction details and notes.
- Technical specifications.
- Front-end (procurement) specifications.
- Updates to the Engineer's Report, as applicable.
- Updates to applicable WCDOH design and permitting documentation.
- Updated Opinion of Probable Construction Cost.
- Incorporation of applicable Town, NYSDOT, Veolia, and other agency comments.
- Project Management and Coordination.

Woodard & Curran will provide the Town with design documents for review and will incorporate comments into the revised design for final WCDOH approval and bidding.

Deliverables – Final Design package ready for bidding; Design approval by WCDOH.

Task 8 – Grant and Funding Coordination

Woodard & Curran will provide technical assistance to the Town related to potential grant and funding opportunities for the project.

Services will include:

- Coordination with the Town regarding potential funding programs.
- Review and updating of project information necessary to support funding efforts.
- Preparation of technical project descriptions and supporting engineering information.
- Updating project cost information as necessary.
- Coordination with funding representatives regarding technical project questions.



- Incorporation of funding agency requirements into the bid documents.
- Assistance with incorporating current project information into grant or funding documentation.

Deliverables – Funding agency requirements incorporated into bid package; Funding agreements in place for Town execution.

Task 9 – Bid Phase Services

Woodard & Curran will provide bid phase services necessary for public procurement of construction services for the project.

Services will include:

- Preparation of invitation to bid for posting by the Town Clerk.
- Setup and administration of document distribution site.
- Ongoing coordination with Town Clerk.
- Response to bidder Requests for Information.
- Issuance of project Addenda as required.
- Facilitation of pre-bid site walk.
- Review of bids.
- Issuance of Recommendation to Award to Town following review of bids.

Construction phase services are not included in this phase and would be part of a subsequent authorization.

Deliverables – Administration of public bidding for the project in coordination with the Town Clerk; Recommendation of Award to the Town Board.

BUDGET

Woodard & Curran proposes the following Lump Sum budgets for the services described herein:

	Description	W&C Fee	Subs and Expenses	Total Budget
TASK 1	Survey and Existing Conditions	\$12,000	\$65,000	\$77,000
TASK 2	Subsurface Investigation and Boring Coordination	\$8,000	\$55,000	\$63,000
TASK 4	NYSDOT Coordination	\$12,000	--	\$12,000
TASK 5	Veolia Coordination	\$10,000	--	\$10,000
TASK 6	Department of Health Notice of Violation Coordination	\$7,000	--	\$7,000
TASK 7	Final Design and Permitting	\$61,000	--	\$61,000



	Description	W&C Fee	Subs and Expenses	Total Budget
TASK 8	Grant and Funding Coordination	\$15,000		\$15,000
TASK 9	Bid Phase Services	\$15,000	--	\$15,000
	Total Budget	\$140,000	\$120,000	\$260,000

The proposed fee is based on the anticipated level of effort required to advance the project from the current design to a final design reflecting current project conditions, additional field information, agency requirements, and modifications to the original design.

TERMS AND CONDITIONS

The scope of work and project background is provided below and will be completed in accordance with the terms of the Consultant/Professional Services Agreement between Woodard & Curran Engineering and Geological Services, P.A. P.C. and Town of Somers dated March 11, 2009.

Any services outside the scope identified herein will be performed only upon authorization by Town of Somers and may require an amendment to the scope and/or budget.

SCHEDULE

Woodard & Curran anticipates that the services described herein can be completed within approximately 6 to 8 months following authorization to proceed. The anticipated sequence is as follows:

Month 1: Coordination with the Town, NOV coordination with WCDOH, survey coordination, and subsurface investigation coordination.

Months 2–3: Survey and existing-conditions investigation, coordination and completion of borings and soil exploration. Coordination with Veolia, NYSDOT, and WCDOH.

Months 3–5: Preparation of final design documents and permit submittal to WCDOH. Ongoing coordination with Veolia, NYSDOT, WCDOH, and funding agencies.

Months 5–6: Preparation of bid documents and coordination with Town Clerk for bidding. Coordination with funding agencies for funding agreements.

Months 6–8: Project bidding.

The schedule is dependent upon timely completion of survey and subsurface investigations, and the review and response times of NYSDOT, Veolia, WCDOH, and other applicable agencies. Delays associated with agency review or approvals may extend the overall project schedule.

CLOSING

Woodard & Curran appreciates the opportunity to continue assisting the Town of Somers with the Somers Water District #2 project. We look forward to working collaboratively with the Town, NYSDOT, Veolia, and the Department of Health to address the current project requirements,

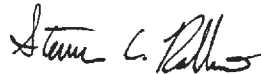
advance the revised design, and support the Town's efforts to move this important water infrastructure project toward implementation.

If you accept this proposal and wish to proceed with the Scope of Services, please sign the Authorization to Proceed below and return a copy for our files. If you have any questions regarding this proposal, please do not hesitate to contact the undersigned at 914-448-2266.



Sincerely,
WOODARD & CURRAN ENGINEERING AND GEOLOGICAL SERVICES P.A. P.C.


Anthony Catalano, P.E., BCEE
President


Steven C. Robbins, P.E., LEED AP
Sr. Technical Manager

PN: 0214810.00

The parties hereto have executed this Agreement by their duly authorized agents as of the date indicated below.

AUTHORIZATION BY:

WOODARD & CURRAN ENGINEERING
AND GEOLOGICAL SERVICES P.A. P.C.

Town of Somers

Signature Date

Name (printed)

Title

Signature Date

Name (printed)

Title

Kim DeLucia

From: Bob Kehoe
Sent: Wednesday, September 30, 2026 3:09 PM
To: Robert Scorrano; Kim DeLucia
Subject: EV Grant

*Sent to:
TB, TA, TC
10/2/26
KD*

We have \$100K to Spend

2 Parks Gators	\$35K
Chevy Bolt	<u>\$28K</u>
Total	\$63K

With \$37K to spend I would suggest getting a Chevy Equinox EV AWD. Approx \$45K. I have one and like it.

If you don't care about AWD, I would suggest getting another Bolt and fill in the rest with battery operated Parks Equipment.

Either way, it would need to get on another agenda to go out to Bid for another EV.

Sent to:
TB, TA, TC
9/15/26
KD

PLANNING AND ENGINEERING DEPARTMENTS

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

Town of Somers
WESTCHESTER COUNTY, N.Y.

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

Steven Woelfle
Principal Engineering Technician
swoelfle@somersny.gov



David B. Smith
Town Planner
directorofplanning@somersny.gov

RECEIVED

SEP 14 2026

OFFICE OF THE SUPERVISOR
TOWN OF SOMERS

Date: September 14, 2026
To: Town Board
From: Steven Woelfle SW
Engineering Department
RE: Release of Erosion Control Bond and Performance Bond
North County Homes, Inc. – 94 Warren Street/Smith Lane
Environmental Permit #ASMESCSST2023-11
TM: 6.14-1-47
Received Checks June 1, 2022 and April 28, 2023, Respectively

This Office has no objection to the return of the following bonds:

- Erosion Control Bond \$500.00
- Performance Bond \$1,500.00

Please return to:

North County Homes, Inc.
156 Tomahawk Street
Yorktown Heights, NY 10598

SW/wg

cc: Town Clerk
Director of Finance
Joseph Festo

Sent to:
TB, TA, TC
9/24/26
KA

PLANNING AND ENGINEERING DEPARTMENTS

Town of Somers

WESTCHESTER COUNTY, N.Y.

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

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

Steven Woelfle
Principal Engineering Technician
swoelfle@somersny.gov



David B. Smith
Town Planner
directorofplanning@somersny.gov

Date: September 17, 2026

To: Town Board

From: Steven Woelfle *SW*
Engineering Department

RE: Wilkinson/Jones Environmental Permit #W2019-27
TM: 28.05-1-7
Release of Erosion Control Bond
Check Received September 19, 2019

RECEIVED

SEP 17 2026

OFFICE OF THE SUPERVISOR
TOWN OF SOMERS

This office has no objection to the return of the Erosion Control Bond in the amount of \$300.00.

Please return to:

Steve Wilkinson

SW/wg

cc: Town Clerk
Director of Finance
Steve Wilkinson

Sent to:
TB, TA, TC
9/25/26
KD

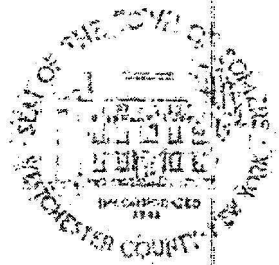
Telephone
(914) 277-3637
Fax
(914) 276-0082

OFFICE OF THE SUPERVISOR

Town of Somers
WESTCHESTER COUNTY, N.Y.

SOMERS TOWN HOUSE
335 ROUTE 202
SOMERS, NY 10589

ROBERT SCORRANO
SUPERVISOR



SEP - 8 2026

Application to Reserve Temporary Use of the Somers
Town House Green for a Permitted Holiday Display

Name of Organization : K F Columbus ^{MS for Raymond M. Collins}
^{COUNCIL 6205 - SOMERS}
^{By: ANTHONY J. MESSINA}

Address: _____

Telephone Number: _____ E-mail: _____

Alternate Name: _____

Address: _____

Telephone Number: _____ E-mail: _____

General Description of Display: Christmas Nativity Creche
(see attached photo)

Duration of Display (beginning and ending): December 20th to 4 January 10, 2027

Requested Area for Use: Area in front of Spruce tree in front of Town House
SEE ATTACHED PHOTO

Signature of Applicant

ANTHONY J. MESSINA
Print Name

9-8-26
Date

Town Board Action

Date