

**TOWN OF SOUTHEAST**  
**1360 Route 22,**  
**Brewster, New York 10509**  
**Thursday, April 11, 2019**  
**EXECUTIVE SESSION 6:30 P.M.**  
**WORK SESSION/REGULAR MEETING 7:00 P.M.**

**Pledge of Allegiance**  
**Notation of Exits**  
**Turn Off/Put on Vibrate – All Electronic Devices**

**Executive Session:**

1. Possible Litigation

**Work Session:**

1. Discussion - Chapter 71 – Blasting Permit Insurance and Requirements
2. Discussion – E-Waste Disposal
3. Discussion – Prohibition Of Parking On Southeast southerly portion of Railroad Avenue

**Regular Meeting:**

1. Resolution – Putnam County Real Property Tax Services
2. Resolution – Grant Of Easement – Sunset Ridge – Southeast Executive Park\*
3. Resolution – Tilly Foster Farm – Putnam County Waiver Request – Noise Code
4. Resolution – Appointment – Brewster Public – Board Of Trustees
5. Resolution – Appointment Of Special Prosecutor – People v. Santucci
6. Resolution – Parking-Code Enforcement Officer – Appointment Of Chris DeBellis

**Recognition of Public/Public Comment**  
**Recognition of Town Board/Town Board Comment**

CA-1

**TOWN BOARD  
TOWN OF SOUTHEAST, NEW YORK**

**PUTNAM COUNTY  
REAL PROPERTY TAX SERVICES**

RESOLUTION NO. \_\_\_\_\_ / 2019

DATE: April 11, 2019

INTRODUCED BY: \_\_\_\_\_

SECONDED BY: \_\_\_\_\_

**WHEREAS**, the Town of Southeast contracts with Putnam County (“County”) for the provision of certain services in connection with the preparation of the annual assessment rolls and related documentation on a fee for services basis; and

**WHEREAS**, the Town Board finds that the services performed by the County are essential to the real property assessment and taxation process.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Supervisor is hereby authorized to execute and deliver to the County a Putnam County Real Property Tax Service Contract for the 2019 Tax Year in the form and substance annexed hereto; and be it further

**RESOLVED**, that the Town Clerk shall forward a copy of this resolution to the Assessor forthwith.

**UPON A ROLL CALL VOTE:**

Councilman Alvarez            \_\_\_  
Councilwoman Eckardt        \_\_\_  
Councilman Larca             \_\_\_  
Councilman Lord              \_\_\_  
Supervisor Hay                \_\_\_

VOTE: carried by a vote of \_\_\_\_\_ in favor, \_\_\_\_\_ against; \_\_\_\_\_ abstained.

**TOWN CLERK'S CERTIFICATION**

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

I, MICHELE STANCATI, Town Clerk of the Town of Southeast, do hereby certify that the above is a true and exact copy of a Resolution adopted by the Town Board of the Town of Southeast at a meeting of said board held the 11th day of April, 2019.

---

MICHELE STANCATI  
Town Clerk

TOWN BOARD  
TOWN OF SOUTHEAST, NY

R#2

**GRANT OF EASEMENT**  
**SUNSET RIDGE – SOUTHEAST EXECUTIVE PARK**

RESOLUTION NO. \_\_\_\_\_ / 19

April 11, 2019

INTRODUCED BY: \_\_\_\_\_

SECONDED BY: \_\_\_\_\_

**WHEREAS**, NINTH JAM DEVELOPMENT, LLC, owner of premises located at 185 Route 312 (Tax Map No. 45-1-3) (hereinafter “Southeast Executive Park”), has experienced a significant parking shortage at its property and is seeking to expand the parking available to patrons and employees located thereat; and

**WHEREAS**, the TOWN OF SOUTHEAST owns certain lands located adjacent to Southeast Executive Park, known as Sunset Ridge Multiple Use Area (85 Independent Way; Tax Map No. 56-1-32.112) (the “Town Property”); and

**WHEREAS**, due to site restrictions on the Southeast Executive Park lot, the only feasible location to construct the needed parking expansion is located a portion of the Town Property; and

**WHEREAS**, the Town has been offered reciprocal easements to allow access to the existing Southeast Executive Park parking facilities for the non-exclusive use by the Town when the Town is in need of parking facilities when conducting events at the Town Property (the parking facilities to be constructed and the existing parking facilities located on the Southeast Executive Park property are hereinafter referred to collectively as the “Parking Facilities”); and

**WHEREAS**, HIGHLANDS CENTER, LLC owns certain lands (105-111 and 115 Independent Way; Tax Map 45-1-2.1 & 2.2) adjacent to the Town Property and Southeast Executive Park, access over which has been offered to the Town and Southeast Executive Park to enable ingress and egress to and from the Parking Facilities to Independent Way; and

**WHEREAS**, the Parking Facilities, driveways and appurtenant drainage facilities proposed to be located on the Town Property, Southeast Executive Park property and the Highlands Center property have been reviewed by the Town of Southeast Planning Board for compliance with zoning and planning laws, rules and regulation; and

**WHEREAS**, the Planning Board, acting as Lead Agency under the State Environmental Quality Review Act (“SEQRA”), issued a Negative Declaration determining that the proposed project was not likely to have an adverse impact on the Environment, has granted approval for the Project upon certain conditions; and

**WHEREAS**, the parking, driveways and appurtenant drainage facilities are to be

constructed and maintained solely at the expense of Southeast Executive Park and at no cost to the Town.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Supervisor is hereby authorized to execute and deliver any and all documentation necessary and proper to convey and receive such temporary and permanent easements so as to permit the owners of Southeast Executive Park to construct and maintain the parking lots, driveways and drainage facilities, portions of which shall be located upon Town Property as hereinbefore described and to allow the Town permanent access to the parking facilities located on the Southeast Executive Park property, in such form and substance as may be approved by the Town Attorney; and be it further

**RESOLVED**, the foregoing grant of permanent easement is subject to permissive referendum in accordance with Town Law; and be it further

**RESOLVED**, the Town Clerk is hereby authorized and directed to post a copy of a Notice of Adoption of this resolution on the official sign board of the Town and cause a copy thereof to be published in the Town's Official Newspaper forthwith.

**UPON A ROLL CALL VOTE:**

Councilman Alvarez	_____
Councilwoman Eckardt	_____
Councilman Larca	_____
Councilman Lord	_____
Supervisor Hay	_____

VOTE: Resolution \_\_\_\_\_, by a vote of \_\_\_\_\_, to \_\_\_\_\_, \_\_\_\_\_ abstained.

VOTE: carried / defeated by a vote of \_\_\_\_\_ in favor, \_\_\_\_\_ against; \_\_\_\_\_ abstained.

**TOWN CLERK'S CERTIFICATION**

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

I, Michele Stancati, Town Clerk of the Town of Southeast, do hereby certify that the above is a true and exact copy of a Resolution adopted by the Town Board of the Town of Southeast at a meeting of said board held the 11th day of April, 2019.

---

MICHELE STANCATI  
 Town Clerk

## **PUBLIC NOTICE**

**PLEASE TAKE NOTICE** that on April 11, 2019 the Town Board of the Town of Southeast adopted a resolution authorizing the Supervisor of the Town of Southeast to execute a permanent and non-exclusive easement in favor of Ninth Jam Development, LLC and Highlands Center, LLC to enable the construction of additional parking, driveway and drainage facilities on a portion of the real property owned by the Town of Southeast known generally as Sunset Ridge Multiple Use Area, located at 85 Independent Way (Tax Map No. 56-1-32.112). The adoption of the foregoing resolution is subject to permissive referendum.

By Order of the Southeast Town Board  
Hon. Michele Stancati, Town Clerk

R#3

**SOUTHEAST TOWN BOARD  
TOWN OF SOUTHEAST, NEW YORK**

**TILLY FOSTER FARM – PUTNAM COUNTY  
WAIVER REQUEST – NOISE CODE**

RESOLUTION NO. \_\_\_\_/2019

DATE: April 11, 2019

INTRODUCED BY: \_\_\_\_\_

SECONDED BY: \_\_\_\_\_

**WHEREAS**, Putnam County owns and operates an educational, recreational and entertainment facility within the Town of Southeast known as Tilly Foster Farm; and

**WHEREAS**, Putnam County has scheduled a series of outdoor recreational / entertainment activities and concerts to be held at Tilly Foster Farm during the 2019 Season; and

**WHEREAS**, the conduct of the aforesaid outdoor recreational and entertainment events will require the use of public assembly systems with sound amplification; and

**WHEREAS**, Putnam County has contacted the Town to request a “waiver” of the provisions of Chapter 96 of the Town Code which prohibits activities which create an unlawful level of noise as established Town Code Section 96-6 thereof; and

**WHEREAS**, Putnam County seeks a “waiver” of the restrictions rather than obtain a “Special License” for each event as prescribed by Section 96-8 of the Town Code; and

**WHEREAS**, it is the sense of this Town Board that recreational and entertainment opportunities at Tilly Foster Farm benefit the residents of the Town of Southeast; and

**WHEREAS**, it has been represented that noise producing activities for the 2019 Concert Series at Tilly Foster Farm will conclude by 10:00 PM on any given day.

**NOW, THEREFORE BE IT RESOLVED** that the Town Board finds and determines, that the proposed Concert Series at Tilly Foster Farm will (a) provide a benefit to the residents of the Town of Southeast through enhanced recreational opportunities, and (b) foster inter-municipal cooperation between County and Town government; and be it further

**RESOLVED**, that based upon the foregoing findings of fact and, rather than require Putnam County to obtain a Special License as anticipated by Section 96-8 of the Town Code for each scheduled event, the application of Putnam County for a waiver of the provisions of Chapter 96 (“Noise”) is granted for the 2019 Concert Season (April 13, 2019 through October 5, 2019) on the condition that all outdoor Public Address Systems utilized for the amplification of music and vocals in connection with such concerts and outdoor





E#4

TOWN BOARD  
TOWN OF SOUTHEAST, NEW YORK

APPOINTMENT  
BREWSTER PUBLIC LIBRARY - BOARD OF TRUSTEES

RESOLUTION NO. \_\_\_\_\_ / 2019

DATE: April 11, 2019

INTRODUCED BY: \_\_\_\_\_

SECONDED BY: \_\_\_\_\_

**WHEREAS**, the Brewster Public Library is permitted to have as many as nine (9) members on the Library Board of Trustees as per the Library Charter and the NYS Education Law, and have requested that a ninth member be formally ratified by the Town Board of the Town of Southeast,

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board of the Town of Southeast hereby appoints Jackie Boissonnault as Trustee of the Brewster Public Library for a term ending December 31, 2023

And be it further

**RESOLVED**, that the appointment shall take effect immediately and that all actions taken by said Trustee in her official capacity prior to this formal appointment are hereby ratified and approved *nunc pro tunc*.

Upon Roll Call Vote:

Councilman Alvarez	_____
Councilwoman Eckardt	_____
Councilman Larca	_____
Councilman Lord	_____
Supervisor Hay	_____

VOTE: carried by a vote of \_\_\_\_\_ in favor, \_\_\_\_\_ against; \_\_\_\_\_ abstained.

**TOWN CLERK'S CERTIFICATION**

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

I, MICHELE STANCATI, Town Clerk of the Town of Southeast, do hereby certify that the above is a true and exact copy of a Resolution adopted by the Town Board of the Town of Southeast at a meeting of said board held the 11<sup>th</sup> day of April, 2019.

---

MICHELE STANCATI  
Town Clerk

EAS

**TOWN BOARD  
TOWN OF SOUTHEAST, NEW YORK**

**APPOINTMENT OF SPECIAL PROSECUTOR  
PEOPLE v. SANTUCCI**

RESOLUTION NO. \_\_\_\_\_ /2019

DATE: April 11, 2019

INTRODUCED BY: \_\_\_\_\_

SECONDED BY: \_\_\_\_\_

**WHEREAS**, the Town of Southeast provides local prosecutor services in connection with Penal Law and Town Code Violations alleged to have occurred within the Town of Southeast; and

**WHEREAS**, it has come to the Board's attention that there is a charge pending on the complaint of Kathy Skalaski, a resident of 3 Shady Lane, against Dennis Santucci, a resident of 5 Shady Lane, for alleged violations of provision of Chapter 60 of the Town Code; and

**WHEREAS**, the Town Attorney is generally authorized to prosecute penal law and Town Code violations in local Criminal Court, the Town Attorney has previously recused himself from matters involving disputes within the Shady Lane neighborhood, thereby requiring a special prosecutor to be appointed herein.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board of the Town of Southeast hereby appoints Laura Roberts, Esq., 37 Fair Street, Carmel, NY 10512 as Special Counsel / Town Prosecutor in connection with the matter *People v. Dennis Santucci* alleging violations of Town Code Chapter 60 (Dogs) and authorizes such Special Prosecutor to fully investigate such alleged violation; and to commence, recommence or continue such criminal and civil proceedings as might be necessary to secure the full, fair and equal enforcement of the laws in connection therewith; and be it further

**RESOLVED**, that said Special Town Counsel / Prosecutor shall be compensated at the rate of \$150.00 per hour for attorney time, and shall be reimbursed for all necessary disbursements made on behalf of the Town.

**ON A ROLL CALL VOTE:**

Councilman Alvarez	_____
Councilwoman Eckardt	_____
Councilman Larca	_____
Councilman Lord	_____
Supervisor Hay	_____

VOTE: carried / defeated by a vote of \_\_\_\_\_ in favor \_\_\_\_\_ against; \_\_\_\_\_ abstained.



R#6

**TOWN BOARD  
TOWN OF SOUTHEAST, NEW YORK**

PARKING-CODE ENFORCEMENT OFFICER  
APPOINTMENT OF CHRIS DeBELLIS

RESOLUTION NO. \_\_\_\_\_ /2019

DATE: April 11, 2019

INTRODUCED BY: \_\_\_\_\_

SECONDED BY: \_\_\_\_\_

**WHEREAS**, the Town of Southeast has enacted several ordinances and local laws regulating the conduct of individuals and maintenance of real property located within the Town, including, but not limited to laws governing land use, building and property maintenance, vehicles and traffic, and parking; and

**WHEREAS**, having no law enforcement agency dedicated to the Town of Southeast, it is necessary to authorize and confer jurisdictional authority upon individuals employed by the Town to enforce the local laws and regulations affecting persons and property within the Town.

**NOW, THEREFORE,**

**BE IT RESOLVED**, that the Town Board of the Town of Southeast hereby appoints **CHRIS DeBELLIS** as a part time Parking and Code Enforcement Officer for the Town of Southeast, hereby conferring upon him all the powers and duties necessary and proper to enforce the various codes and regulations regulating conduct within the Town as set forth in the Code of the Town of Southeast; including such powers as may be necessary and proper to investigate alleged or suspected violations of the Town Code and parking regulations, to file process in the local Justice Court necessary and proper to commence criminal proceedings therein, and to do such other or different actions necessary and proper to enforce and adjudicate alleged violations of the Town Code; all in accordance with applicable law and procedure.

UPON ROLL CALL VOTE:

Councilman Alvarez	_____
Councilwoman Eckardt	_____
Councilman Larca	_____
Councilman Lord	_____
Supervisor Hay	_____

VOTE: Resolution \_\_\_\_\_, by a vote of \_\_\_\_\_, to \_\_\_\_\_, \_\_\_\_\_ abstained.

**TOWN CLERK'S CERTIFICATION**

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

I, MICHELE STANCATI, Town Clerk of the Town of Southeast, do hereby certify that the above is a true and exact copy of a Resolution adopted by the Town Board of the Town of Southeast at a meeting of said board held the 11<sup>th</sup> day of April, 2019.

---

MICHELE STANCATI  
Town Clerk