

TOWN OF SOUTHEAST
1360 Route 22,
Brewster, New York 10509
Thursday, September 12, 2019
WORK SESSION/REGULAR MEETING 7:00 P.M.

Pledge of Allegiance

Notation of Exits

Turn Off/Put on Vibrate – All Electronic Devices

Presentation:

1. US Census Bureau
2. Putnam County Board of Elections – Early Voting
3. Putnam County Legislative Chairman Joe Castellano and Putnam County Legislator Paul Jonke – Update on the Danbury, Connecticut and Town of Southeast Sewer Line

Work Session:

1. Ace Endico – Road realignment – Site Plan

Regular Meeting:

1. Resolution – Water & Sewer Districts Use Policy
2. Resolution – Award of Contract Block Building Demolition
3. Resolution – Batista – Southeast Dunkin Bond Establishment

Recognition of Public/Public Comment

Recognition of Town Board/Town Board Comment

R#1

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

WATER & SEWER SPECIAL DISTRICTS USE POLICY

RESOLUTION NO. _____ / 2019

September 12, 2019

INTRODUCED BY: _____

SECONDED BY: _____

WHEREAS, in order to have uniformity with the Town's Water & Sewer Districts, the Town has established a written policy to regulate the procedures,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby adopts the Town of Southeast Water and Sewer Special Districts use Policy dated 09/12/19 (a copy of which is annexed hereto), which establishes the procedure for connection to district improvements and regulations for all water and sewer districts in the Town, and be it further

RESOLVED, that any subsequent change that will affect the number of parcels within each district identified below and/or any new districts created after this policy goes into effect, shall require notification in writing to the Town's, Accounting Department, Assessor's Office, Building Department, and Special District's Department.

Special Water Districts

Special Sewer Districts

Birch Hill Water (24)
Blackberry Water (252)
Brewster Heights Water (396)
Hillcrest Water (129)
Fox Hill Water (33)
Mountain Brook Water (44)
Peaceable Hill Water (154)
Springhouse Estates Water (54)
Starr Ridge Water (98)

Blackberry Sewer (252)
Brewster Heights Sewer (396)
Peach Lake Sewer (120)

and be it further

RESOLVED, this policy will go in affect immediately

UPON A ROLL CALL VOTE:

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

VOTE: Resolution passed / defeated, 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 ____ day of September, 2019.

MICHELE STANCATI
Town Clerk



Town of Southeast

Water & Sewer Special Use Districts

Resident Town Special Districts Policy

This document was created to outline some policies and procedures for the Special Water and Sewer Districts of the Town of Southeast, NY, a municipal corporation, having an office for the conduct of business at 1360 Route 22, Brewster, NY 10509. The Special Districts office is located at One Main Street, Brewster, NY 10509.

These procedures are in place to provide information, responsibilities and standards for Policy and Repair/Maintenance procedures for the resident. It is important that the property owners of these Special Use Districts are informed of this policy.

All Special Districts are operated independently of any other Special District. The accounting for each district is kept separate from any other review and expense. Funds are not used for anything outside of the specific district that they are collected and the expenses are also kept within the same district as well. No outside funds other than grants or subsidy funding is permitted for operation costs and/or maintenance & repair expenses.

Special Water Districts

Birch Hill Water
Blackberry Water
Brewster Heights Water
Hillcrest Water

Fox Hill Water
Mountain Brook Water
Peaceable Hill Water
Springhouse Estates Water
Starr Ridge Water

Special Sewer Districts

Blackberry Sewer
Brewster Heights Sewer
Peach Lake Sewer

District Rate Calculation

Rates are calculated by adding the Operation and Maintenance costs, along with all calculated quarterly Capital Bond costs of the specific Special District.

Operation and Maintenance Costs include: Utilities, contract services, chemicals, equipment repair and replacement, facilities repair & maintenance and janitorial services, landscape maintenance, distribution/collection system repair, maintenance & replacement, direct payroll - (including Special Districts Administrator & Special Districts Clerk) and indirect payroll (Accounting and Tax Receiver).

Direct payroll is broken down by Special Districts and their percentage of overall accounts, i.e. Blackberry Water calculation is 248 residences out of 1154 total water district residences or 21.5% of the total number of water accounts in all Districts

Indirect payroll is based on a flat number calculated by the Accounting Office.

Capital costs are calculated by the Accounting Office. All forecasted payments (principal, interest and fees) for the year are divided by four equal quarters, then by the number of residences. This number is recalculated annually.

The total costs and expenses for each District is combined and divided by four equal payments and then by the number of residences (one charge for each quarter of the calendar year).

Rates for Properties with wells who are in the district: Properties that are within a Special Use Water District that are not connected to the water distribution line and have an independent water well are subject to a quarterly fee that is equal to 5% of the Capital costs that is calculated as the quarterly rate Capital cost of the specific District. However, if the 5% is less than \$20.00 then \$20.00 will be charged.

Properties with Multiple Units: Properties that have rental units will be charged a Flat Rate of \$50.00 per unit / per quarter, above the District Flat rate for the initial unit, plus water consumption.

Vacant Units: Currently the Town of Southeast is not charging for vacant property that does not have a structure and does not have a current or previous service line. Vacant Property that had the residence removed will be assessed on a individual basis.

Billing Procedure

Each quarter water meters are read to assess the usage by each customer/residence.

Billing is calculated based on the combination of the consumption and the base rate.

Consumption is calculated by the total number of gallons (from meter reads) minus the allowance of the District. The difference is calculated by the District rate.

Invoicing includes previous/past balance, applied penalties (if applicable) and current charges.

Residents have 30 days to submit payment to the Town. After the 30 days, there is a 5% late fee penalty applied to the account.

Any unpaid accounts from October 1st of the previous year through September 30th of the current year, will be forwarded to the Putnam County Real Property Office for collection and to be levied to the property on the County Tax Roll. The County will send the payment to the Town.

Repairs and Maintenance of Distribution System

The distribution system is maintained by the Town and its contractors. The distribution consists of the piping from the water plant throughout the District. Each residence connects to the distribution system via a service line. The Town maintains the service line up to the curb valve, including the curb valve. The resident is responsible for the repair and maintenance of the service line from the curb valve into the house. All residents who refuse to repair any leaks on the service line before the meter and after the curb box will be assessed/charged \$150.00 per week until the service line is repaired. No proration of a week will be given for partial weeks. There will be a 5 business day grace period allowed, for the resident to schedule a contractor to make the repairs, before charges begin.

Residence without a Curb Valve: The Town will be responsible for service lines up to the right-of-way. Beyond that point it will be the responsibility of the resident.

Curb Valve Box: If the valve malfunctions, deteriorates or stops working because of age or clogging, the Town will replace the valve at the expense of the District.

Any Damage to the curb box, cap or valve service pipe caused by the resident or anyone person(s) on the property for the resident, including but not limited to: landscapers, contractors, plumbers, renters, friends, guests and/or other family members, will be the account owner(s) responsibility to pay for the repair. The repair will be made and charged to the owner's account. The charge will be based on current time and material expenses associated with the replacement.

Any curb box which is impacted by the resident(s) will also result in the costs being the responsibility of the owner(s), i.e. trees planted too close or on top of the valve, rock/block walls or any other structure being built to close or on top of the valve or any pavement driveway expansions over the top of the valve.

Broken or Unreadable Meters

A report is generated (Non-Read Meter Report) each quarter containing customers/residences whose meters did not record a reading.

Non-read Report Notification: Once the Non-Read Meter Report is compiled, a letter will be sent to residents informing them of the problem. It will provide them with contact information to schedule repairs to their meter, wiring or radio. Notification of this policy will be mailed, along with a letter, informing any owners of the need to review their equipment for repair or replacement.

Grace Period: The customer will have a grace period to have the equipment repaired/replaced by a Town approved contractor. The grace period will end on the last Friday three weeks prior to the end of the quarter, (*i.e. end of March, June, September and December*).

Before/After Hour Appointments: Customers are responsible for any additional charges for repairs/service calls and/or appointments scheduled outside the normal, Monday-Friday, "Special Districts Contracted Operator's", normal work day schedule and are payable at the time of the repair. Rate is determined by the Contract Prevailing Rate schedule.

Billing: During the grace period, customers in all Districts will be invoiced for the District base rate and will not be assessed for any additional charges, unless there are repairs found to be a result of the customer.

If the meter is repaired during the grace period, the meter reading will start at the beginning of the next quarter following the notification, and normal charges will apply.

Penalty: If the meter is not repaired during the grace period, the owner/resident in all Districts, will be charged the District base rate plus a penalty charge of \$100.00. If the meter is not repaired for any portion of quarters going forward, the owner/resident will be charged the district base rate and a penalty charge outlined for repeat conditions.

No past penalties will be refunded or waived if the repair is not completed within 3 months from the date the notification was mailed to the customer. Meters found to be tampered with will result in legal prosecution of the law.

Remote Reading Equipment: Residents, who refuse to have a remote radio placed on their homes or remove them, will be charged an additional service fee of \$200.00 per quarter or any part thereof. No refunds will be provided.

Repairs: Repairs can be made during work hours Monday – Friday 8:00 am – 2:00 pm.

Repeat Condition: Customers with repeat disconnected meter reader contacts will result in penalties. The penalty will be based on a sliding scale.

All Districts

First repeat offense will be \$150.00 plus base rate

Second repeat offense will be \$200.00 plus base rate

Third or more offense(s) will have a penalty charge of \$250.00 for each offense.

Note: Penalties are assessed for each individual property.

Any meter/remote radio found to be tampered with or homes that are found to be retrofitted to obtain water without metering, will result in a penalty and fine of \$2,000.00 and the possibility of being prosecuted to the full extent of the law.

Service Calls

Service Calls and Special Requests: All Service Calls must be received by the Special Districts office.

The Special Districts Office will complete a Service Request Form (SRF) and relay it to the Special Districts Contractor who operates the systems for the Town.

The Contractor will complete/investigate and return the SRF to the Special Districts Office for final processing. Either the Contractor or the Town Special Districts office or Town Accounting office will communicate the findings to the resident.

All service calls and special requests found not to be the responsibility of the Town and/or not required by the Special Districts office, NYS Department of Health or Town Code will be passed onto the resident's account that makes the call or request. This includes all materials and labor.

Before/After Hour Appointments: Customers are responsible for any additional charges for repairs/service calls and/or appointments scheduled outside the normal, Monday-Friday "Special District Contracted Operator's" work schedule and are payable at the time of the repair. Rate is determined by the Contract Prevailing Rate schedule.

Final Reads for Property Sales: Owners who are selling their property should call the Special Districts office for a "Final Read". The resident needs to provide their name, address, date/time of the closing, attorney's name, telephone and fax numbers and any other details that may help with the processing of the Final Read.

The Special Districts office will coordinate with the Contractor to take the final read, returning the reading to the Town Accounting office with a copy to the Special Districts office.

The Accounting office will create a letter to the Attorney listing any outstanding balance, current reading and consumption of the quarter, pending charges and any other details that may be important or of interest to either party off the sale/purchase of the property.

It is the responsibility of the Owner, Owner's Attorney, Buyer and Buyers Attorney to determine the pro-rated value(s), what transfer of funds are to be made between seller and buyer, with the information provided to them.

The new property owner will be responsible for any debt on the account after the closing of the sale. The Town will not calculate or pro-rate any portion of the account balance to either party of the transaction.

Property Connection (Inside District)

Properties within a District that are not connected will need to follow below in order to connect.

Current status review to evaluate the past contributions of the property to the District funds.

Assessment of the condition is needed to calculate the costs for connection.

If the property contributed, by way of billing to the Capital, then they would have a Flat Fee to allow the connection.

If the owner(s) of the property did not contribute to the Capital for the past 5 years, then there would be a fee for the Capital costs. The amount charged would reflect the same amount that the District residents were charged for the previous 5 years.

The Town would be responsible for the costs of materials and labor up to the property line for the new service line, which would include a curb valve and inside meter and reading equipment.

The resident would be responsible for the materials and labor costs of the service line from the curb valve into the house and the installation of the meter and reading equipment.

The project must be completed by a Town approved vendor.

The quarterly rate would begin on the day that the service connection is completed. The rate would be based on the current quarterly rate of the District. The first bill would be pro-rated for the number of days in the quarter the service was provided. The water allowance would reflect the same pro-rated percentage. After the first quarter, the rate would be the same as the other District residents who are connected to the system.

Property Connection (Outside District):

Properties that are outside the District boundaries, and are not connected, will need to read the following procedure in order to connect.

Review of the property to the District's boundaries would be needed to conclude if the property is within the adjoining boundary or not. If the property is not along an adjoining boundary, then the property would not be allowed to annex into the Special Benefit District, unless approved by the Town Board.

Assessment of the condition is needed to calculate the costs for connection.

Since the property did not contribute to the Capital Costs of the District in previous years, there would be a fee for the Capital Rate charged to the District residents for the previous 5 years. This fee would be due within 30 calendar days after the Town adopted a Resolution expanding the District to include the property.

The Town would be responsible for the costs of the curb valve and inside meter and reading equipment. Installation would be the responsibility of the property owner.

The resident of the property would be responsible for the costs of materials and labor to extend the water main to the front of their property, the new service line from the water main to the curb valve, the service line into the house and the installation of the meter and reading equipment.

The project must be completed by a Town approved vendor.

The quarterly rate would begin on the day that the service connection is completed. The rate would be based on the current quarterly rate of the District. The first bill would be pro-rated for

the number of days in the quarter the service was provided. The water allowance would reflect the same pro-rated percentage. After the first quarter, the rate would be the same as the other District residents who are connected to the system.

Sewer Collection System

The Town maintains and repairs the sewer collection system and pump stations for the sewer plants as part of the Special District. The resident is responsible for repair, maintenance and replacement of all sewer connections from the sewer main to the resident dwelling unless the Town or a Town contractor makes any damage during road work, drainage work or water line replacement work. Those costs would be the responsibility of the Town or contractor providing the work.

Illegal Connection, Tampering and/or Unauthorized Modifications

Residents are required to provide access to the Town Special Districts Administrator and any contractor of the Town as needed for inspection of the water main, water meter, meter wiring and/or sewer line. This inspection may also include inspection and condition of the water main as it enters the residence before the meter.

Town Code prevents the installation of any water spigots and/or taps before the meter. It is also required that there be no quick connections for the meter or piping before the meter. Connection of Sump pumps and gutter down spouts is not permitted.

Failure to allow access will result in a penalty of \$200.00 per month until access and inspection has been completed. Illegal modifications are penalized independently based on each individual situation.

Any of the above noticed during the inspection will result in prosecution of the owner(s) to the fullest of the law for stealing water, services and increased expenses.

Inquiries can be made to:

Special District Office
1 Main Street
Brewster NY 10509
Office: (845) 279-8206
Fax: (845) 279-2472

Levon Bedrosian,
Special Districts Administrator

Michele Fraioli,
Special Districts Clerk

E-Mail: specialdistricts@southeast-ny.gov

Further information is available at the Town's Web Site

www.southeast-ny.gov

R#2

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

**AWARD OF CONTRACT
BLOCK BUILDING DEMOLITION**

RESOLUTION NO. _____ / 2019

DATE: September 12, 2019

INTRODUCED BY: _____

SECONDED BY: _____

WHEREAS, the Town of Southeast is in receipt of responses to its Request for Proposals (“RFP”) for the demolition of the Block Building; and

WHEREAS, the Supervisor and Special Districts Administrator have reviewed the proposals submitted and hereby elects to award a contract for Building Demolition Services to the lowest responsible bidder.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Southeast accepts the proposal of James Gagliardo Excavating and hereby authorizes the Supervisor to execute a personal services contract with James Gagliardo Excavating for the demolition of the “Block Building” located in the “Gold Lot”, Main Street, Brewster, NY, and removal of demolition debris associated therewith.

AND BE IT FURTHER

RESOLVED, that this resolution shall take effect immediately.

Upon Roll Call Vote:

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

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 12th day of September, 2019.

MICHELE STANCATI
Town Clerk

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

R#3

**BATISTA – SOUTHEAST DUNKIN
BOND ESTABLISHMENT**

RESOLUTION NO. _____ / 2019

DATE: September 12, 2019

INTRODUCED BY: _____

SECONDED BY: _____

WHEREAS, the Town Board of the Town of Southeast is in receipt of a report and recommendation from the Town Engineer dated September 4, 2019 with respect to the Performance Security to be posted by Batista Southeast Dunkin (“Applicant”), in connection with erosion and sediment control measures for the commercial development on property located at 1617 Route 22, Southeast Tax Map No. 46.-1-21 (the “Subject Premises”).

NOW, THEREFORE, BE IT

RESOLVED, that the bond amount is hereby established for the project set forth below:

PROJECT NAME:

BOND AMOUNT:

Batista Southeast Dunkin

Erosion/Sediment Control: \$14,200.00

and be it further

RESOLVED, that a certified copy of this resolution shall be transmitted by the Town Clerk to the Applicant, Planning Board Secretary and Building Inspector forthwith.

UPON 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.

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 12th day of September, 2019.

MICHELE STANCATI
Town Clerk