

TOWN OF SOUTHEAST
1360 Route 22, Brewster, New York 10509
Thursday August 18, 2016
WORK SESSION / REGULAR MEETING 7:00 P.M.

Notation of Exits
Pledge of Allegiance

Present: Supervisor Tony Hay
Councilwoman Elizabeth Hudak
Councilwoman Lynne Eckardt
Councilman Robert Cullen –Arrived at 7:10 PM
Councilman Edwin Alvarez

Also: Town Clerk Michele Stancati
Town Attorney Willis H. Stephens Jr.

And: 22 Persons

PUBLIC HEARING

Supervisor Hay made a motion to open the Public Hearing and waive the reading of the Notice. Councilman Cullen seconded. All in favor.

Barrett Hill

Richard O'Rourke, Attorney for the applicant, gave a brief overview of the project. They are requesting a text change in the OP2 zone for a Multi Family Workforce Housing District and Floating Zone. The minimum required is 25 acres, to be adjacent to a residential zone, and to have a water and sewer system. There was previous approval for 168 senior units on 29 acres. Now they are requesting 50 priority units, with one or two bedrooms, smaller than before. The priority units will be available to employees of the Town, schools, volunteer Fire department, senior citizens, and people with disabilities. 17 units will be set aside as affordable units, to be established by the Putnam County medium income. Mr. O'Rourke presented a chart, for example, that shows that most all teachers are below the medium income. Also part of the proposal is the Community Benefits Package. There will be a 3rd party monitoring entity in charge of placing people.

Roger Bowlings asked about the increase of traffic that is already an issue. Supervisor Hay stated that the issue has been reviewed and will be further addressed at the Planning Board stage.

Ken Ford, Chairman of the Board for Hudson Valley Cerebral Palsy, is in favor of the project. He stated that people with disabilities are a vulnerable population that needs assistance and that

this is a golden opportunity. They receive services through Medicaid and can live in an integrated community and contribute to everyday life.

Councilwoman Eckardt asked if this would save on Medicaid costs and Mr. Ford stated that they are already getting Medicaid and are being put up in motels or state facilities now. It can possibly cause a reduction in Medicaid.

Tom O'Brien approves of the project because it will bring more people, taxes and help the economy and bring jobs.

Ken Clair, Deputy Commissioner of Putnam County Emergency Services, and past Brewster Fire Chief, is also in favor of this project. He stated that many of the Volunteers are college age and when they finish college, they can't afford to live here, they move on. Affordable housing for these fading volunteers would help. Because of a lack of volunteers, we have paid EMTs during the day, and hopefully that won't extend to overnight. Please consider this.

Supervisor Hay read the following statement:

Barrett Hill – Last revised – Thursday, August 11, 2016

I would like to begin by stating on the record, that I fully support a Zone Text Change for the Barrett Hill Project which would provide affordable workforce housing, housing for veterans, the disabled and seniors, however, that can all be accomplished without changing Barrett Hill's "age restricted" housing to "non-age restricted housing". The only one who truly benefits from removing the age restriction on the project is the developer; making the parcel much more developable and much more marketable.

I first became aware of the Barrett Hill Project back around July 13, 2014, when I attended a meeting at UCP. The people associated with the project wanted to change the "age restricted" housing to "non-age restricted" and in return would set aside 10% of the project units as affordable housing for Hudson Valley veterans. It was my understanding that there may have been some federal or state funds available for veteran housing to offset some of the projects costs and that veterans living in the complex would be able to use a medical facility at the UCP building just down the road. That scenario never came before the Board.

Barrett Hill's first application before the Town Board on May 11, 2015 for a "Zone Text Change" requesting that the "age restriction" be removed and replaced by a "non-age restriction" and that the 168 unit project would reserve up to 25% of the units (42) as priority units for "civil servants" of which 40% (17) would be affordable housing units.

On **Thursday, September 3, 2015**, when the Southeast Town Board adopted Resolution 64-2015 of its intent to declare lead agency on the Barrett Hill Project by a 3-2 vote, this project took on a very intriguing political life of its own!

On **Wednesday, 09-23-15** – The Town received a disapproval letter from the Putnam County Department of Planning Development and Public Transportation Planner.

Dear Mr. Hay,

I have reviewed the 239 referral materials sent to our office pursuant to N.Y. GMU Law 239-m. The County Planning Department hereby recommends that this Local Law change should be disapproved for the following reasons:

- After a review of the recently adopted 2014 Town of Southeast Comprehensive Plan, the proposed change would conflict with recommendations made in that document. Specifically, one of the Implementation Actions in the Housing Development Section states that the Town should “encourage provision of senior housing in appropriate locations in either residential or commercial districts. Specifically define “senior housing” to ensure that the needs of seniors are met **while minimizing the potential for senior housing to revert to standard market-rate multi-family units.**”
- Replacing the senior housing criteria with the proposed Special Occupancy criteria for the entire OP-2 District is not recommended based on one developer’s project.

Due to this “disapproval” by Putnam County Planning it would take a supermajority vote of the Town Board to enact the proposed Local Law. This means that 4 out of 5 members of the Town Board would have to vote in favor of the proposal for it to become law. **Twelve days later**

On **Monday, 10-05-15** – A person associated with the Barrett Hill Project informs a TSE Councilperson during a private meeting, that the County made a bad decision on the proposed Local Law which would have allowed the Barrett Hill project to proceed without restriction and that they were going to get the County Planning decision changed. **Ten days later**.....

On **Thursday, 10-15-15** – The Town receives a letter from the Putnam County Acting Commissioner, Department of Planning Development and Public Transportation, requesting a re-submission of the Section 239-m referral of Barrett Hill to the County.

What I found particularly interesting in the letter was the following comment: “responses issued by this Department pursuant to a referral under NYS General Municipal Law 239-m, are appropriately issued by the Commissioner/Acting Commissioner”, evidently inferring that the County Planner was not. However, upon reviewing the previous Section 239-m referrals from the County, between October 29, 2014 and the date of that letter, October 15, 2015, two weeks shy of one year, a total of nineteen (19) NYS General Municipal Law 239-m referrals, one of which was the Crossroads 312 Project, were all signed off by the Planner and not one General Municipal Law Section 230-m referral was signed off by the Commissioner/Acting Commissioner as alleged.

In addition, since that October 1, 2015, to Tuesday, August 16, 2016, there have been another thirteen (13) referrals and just yesterday Wednesday, August 17, 2016 when this very BarrettHill

239-m referral before us this evening was also signed off by the Putnam County Planner, a reversal of the precious decision. Not one General Municipal Law Section 239-m, thirty-three (33) referrals in the past 22 months and not one of those referrals were signed off by the Commissioner/Acting Commissioner. .

It was shortly after that exchange in October 2015, that it was brought to my attention by numerous sources, that people associated with the Barrett Hill Project were involving themselves quite heavily in the November 2015 Elections. The word on the street was they would be supporting candidates that could enhance their chances of obtaining the supermajority vote required to overturn the County's denial. However,

On Tuesday, November 3, 2015 – Those efforts failed, the 2015 election produced no change to the 2016 Town Board makeup leaving the necessity for a supermajority override vote on Barrett Hill.

Shortly after the election, word got back to me that it was being alleged that I was responsible for the Jehovah Witnesses purchasing the former Schein Pharmaceutical Building located in Mt. Ebo Park and that this \$6+M dollar parcel was removed from the Town's tax rolls. At that time, I couldn't image where this was coming from or why. Then one month later

On Thursday, 12-03-15 – I was informed that there had been a meeting on the Barrett Hill Project that day at a Putnam County facility attended by a minimum of eight people. It is my understanding that three people associated with the Barrett Hill Project were there, the developer, the developer's attorney (not his current attorney) and one other person, three Putnam County officials, the Putnam County Acting Commissioner, Department of Planning Development and Public Transportation, the Putnam County Planner and one other County official and two Southeast Town Board Members. The meeting was confirmed to have taken place, but I was never made privy to the discussions that took place or the outcome of the meeting.

It was just after the first of the year in 2016 that I learned that people associated with the Barrett Hill Project were referencing "Jehovah Witnesses" during discussions on the Barrett Hill Project. Was it being used as coercion, or intimidation to support the zone text change, hinting the property could be sold to them, I have no idea, but I can only surmise. Developers develop to make money and if the Jehovah Witness has the desire, need or interest in a parcel, there is nothing stopping them from purchasing a parcel and a commission is a commission.

Recently during a comment period on the Barrett Hill Project, it was stated that "sometimes people try to do the right thing". What I just described above in my opinion should not be considered "doing the right thing". Just think if all the bullying, intimidation political gyrations described above had been successful and Barrett Hill had been approved back in September of 2015, we wouldn't be here this evening discussing Community Benefits Agreements, Floating Zones, or Multifamily Work Force Housing Districts. The disabled and seniors were only afterthoughts. I have been skeptical of this project since day one. In my opinion, it wasn't about veterans; it was all about removing the "age restriction". It wasn't about veterans and workforce; it was all about removing the "age restriction". It wasn't about the handicapped, it was all about

removing the “age restriction” and it wasn’t about seniors, it was all about removing the “age restriction” as they were the very last to be added to the Priority List.

Personally,

1. I do not support major zone text changes when the rationale admittedly is the project does not provide the desired economic benefit to the developer, or that economic conditions do not warrant it. I could be wrong, but I don’t think developers should be writing their own meal tickets.
2. Back in 2006, it was my understanding that the then Town Board approved the age restricted housing in the OP-2 Commercial Zone. The rationale being, commercial zones do not add students to a school system and that “age restricted” housing would have the same affect. Even Barrett Hill’s July 15, 2016, EAF 3.5-3 states “Based on 2014-2015 tax rates for the Brewster Central School District, the approved 168-unit senior project would be projected to generate \$657,534 in annual property tax revenues to the school district. With no children the district would incur no cost of services from the senior project. That \$657,534 is a net positive to Southeast residents. Then the EAF goes on to say that the that change to non-age restricted housing would l, be a smaller benefit, but net positive (\$657,558-\$420,810 = \$236,748). This proposed text change will cost Southeast taxpayers \$420,810 a year at a minimum, if you believe Barrett Hill’s numbers on page 3.5-3 in the EAF. They identify the project as having 64 one bedroom units and 104 two bedroom units for a total of 168 units consisting of 272 bedrooms. Barret Hill projects that the project will only produce 26 public school students at a cost of \$16,185 per student, for a total of \$420,810. Personally, I believe that that number is severely underestimated and let me explain why. In the Town of North Salem, just a stone’s throw from the Southeast border, there is a “non-age restricted” multi-family project known as Bridleside. Bridleside has 20 one bedroom units, 40 two bedroom units and 5 three bedroom units for a total of 65 units consisting of 105 bedrooms.

Barret Hill	Bridleside		
168	65	%	Units
272	105		Bedrooms
26	28		Estimated student population attending

Public Schools

Personally, I just can’t image that a 105 bedroom multi-family complex, will produce less school aged children than a 272 bedroom multi-family complex. I’m sorry, but I don’t believe the experts, I’ll stick with common sense.

In closing, let me reiterate one last time:

When the County Planner “disapproved” Barrett Hill originally, it stated:

“After a review of the recently adopted 2014 Town of Southeast Comprehensive Plan, the proposed change would conflict with recommendations made in that document. Specifically, one of the Implementation Actions in the Housing Development Section

states that the Town should “encourage provision of senior housing in appropriate locations in either residential or commercial districts. Specifically define “senior housing” to ensure that the needs of seniors are met **while minimizing the potential for senior housing to revert to standard market-rate multi-family units.**” “Standard market-rate” multi-family units are also commonly referred to as “non-age restricted multi-family units”, but that same planner is now approving the project!

If the Barrett Hill project is approved and they are truly sincere about doing the right thing, they will add a clause to the “Community Benefits Agreement and 99 year guarantee” that they will graciously pay for the educational costs for every student that will attend the Brewster Central Schools over the 26 students projected, in order to lessen the tax burden on our residents.

There has also been little to no discussion concerning recreation fees that also needs to be addressed prior to any action by the Board.

Councilman Alvarez stated he is in favor of the project. It’s been about 10 years since the first proposal of senior housing was brought forward and the needs of the Town have changed. It’s the applicant’s prerogative to decide what they want to do or ask for. We have notified the School District and have received no comment. With enrollment down, the district can easily absorb the additional students. He feels it would encourage young residents to come back after college.

Councilwoman Eckardt thanked the representatives for the presentation. One of her concerns is the taxes the Town won’t be receiving because of the school children. When she ran for office, that was one of the biggest complaints from residents, and this will cost more money. She stated she wants to bring the best development forward for the Town and not change the Comprehensive plan to fit the needs of a developer. While the developer can change his mind, it’s not a right. Recreation fees should be considered and there should be a maximum and minimum head count for each unit. None of the surrounding Towns in Putnam County have priority groups; this can lead to litigation. She also believes that affordable housing should stay in perpetuity. We are not under orders from the government to have affordable housing and when we did the Comprehensive Plan everyone who worked on it felt we had affordable housing. Some Towns with workforce housing charge 50% of their normal recreation fees, that’s also something to look at that will help us. The residents should be able to rewrite this the way they think it should be.

Councilwoman Hudak stated that the plan has changed since the last proposal was brought to Putnam County; read the Planning decision, it’s not a conspiracy. The proposal now is for a floating zone and doesn’t mean it will affect other areas. She stated that the Comprehensive Plan is a living document that can be changed. Senior Housing is not more important than giving an opportunity to others. Seniors will still be able to move into this complex and there have been no other negative comments. This will also open it up to first responders and teachers and bring more people into the Town. She is upset with the comments of impropriety and asked that we look at the sustenance of the project. Councilwoman stated that she is in favor of the project and

wants to see what we can do for the people of the Town and would love to hear comments on this.

Councilman Cullen stated he was upset with some of the comments. The school enrollment is down and there has been no response from the School District. He feels that the apartments will attract a lot of young couples and currently there are no affordable rentals. He agreed that recreation expenses should be discussed and that there has been no major opposition to this project.

Councilwoman Eckardt wanted to be clear that she's not worried about seniors being excluded, they will be included, but for the public to remember that only 17 units out of 168 will be subsidized. She would also like to consider limits put on occupancy. When this land went from commercial to senior living, it cost the residents money, and adding school children will again. She thanked the Supervisor for his comments, believing people should see the whole process and that includes conversations not held at public meetings.

Councilwoman Hudak stated that private conversations happen all the time for us to be able to look into things. She felt the Supervisor indicated an impropriety, which there wasn't any.

Supervisor Hay stated that he is not accusing anyone, he just stated the facts. He believes in supporting the disabled, veterans, and all proposed. The Supervisor does not believe that the age restriction should be changed. He has heard that he was the reason for the tax loss to the Jehovah witness property and that is not true. He just wanted everyone to hear the facts.

Town Planner Ashley Ley stated that the next steps are to close the Public Hearing but keep the written comment period open for 10 days. The project will go before the Planning Board for their recommendations and then the Town Board can vote on the SEQRA determination in September. If a negative declaration is made, the Board can adopt the zoning change. If a positive declaration is made, this will be put into an environmental statement.

Rick O'Rourke asked for clarification that the Public Hearing will be closed by the Board and that written comment will be accepted for 10 days. The Supervisor stated yes.

Ken Ford stated he wanted to clarify that the meeting in 2014 was exploratory, hoping to house seniors and be able to get funding. The funding wasn't there, that's why it didn't proceed.

Harold Lepler wanted to clarify why the County gave a negative response. He stated that they did not receive the most critical information on the project. He's not saying it was deliberate, but the critical part was missing.

Ms. Ley stated that what was required under SEQRA law was submitted, part 1 of the EAF and the Zoning Petition to the County Planner. The applicant was responsible for making revisions that were requested by the Town Board during the meeting to the documents. The changes to part 2 and 3 of the EAF weren't received in a timely manner by the applicant so the time limit to forward them had expired. Supervisor Hay asked if he was clear of any wrong doing and Ms. Ley responded yes.

Councilwoman Eckardt asked if when the corrected forms were sent, did that make the County Planner's rational incorrect? Was her rational based on the Comprehensive Plan, that it was appropriate for senior housing? Ms. Ley responded yes. In the initial EAF, the land use and zoning section had a lot of inconsistencies with the adopted Comprehensive Plan. The plan provided now is more representative of the Comprehensive Plan.

Councilman Alvarez stated that when the additional information was requested by the County it was denied.

Supervisor Hay stated that the 30 days were up.

Ms Ley stated that when that request was made, they still had not submitted a revised part 2 and part 3 to us, so we didn't have it to send.

Town Attorney Stephens stated that Mr. Lepler said that the Planning department didn't receive a copy of the petition.

Ms. Ley said they did receive a copy of the petition.

Mr. O'Rourke stated that what happened previously and in another development is irrelevant. Briddleside was three bedrooms, not workforce housing and floating zone. The developer has a right to petition for what he wants. He respectfully asked to redirect the Board to what's in front of them now.

Councilwoman Eckardt stated that it's not irrelevant, the prediction of the number of students was wrong, and the Board and public should look at everything.

Supervisor Hay made a motion to close the Public Hearing and leave the written comment period open for 10 days. Councilwoman Hudak seconded. All in favor.

WORK SESSION

Discussion – Article IV - Section 131-20 – Commuter Parking

Supervisor Hay explained that parking is prohibited from 3 am to 6 am at the train station parking lots. He would like to recommend that time period be taken out of the code.

REGULAR MEETING

Supervisor Hay made a motion to open the Regular meeting and Councilman Cullen seconded. All in favor.

SET PUBLIC HEARING FOR COMMUTER PARKING

Supervisor Hay made a motion to set a Public Hearing for September 8th, 2016, to amend the code for Commuter Parking. Councilman Alvarez seconded. All in favor.

CORRESPONDENCE

Supervisor Hay made a motion to waive the reading of the Correspondence and Councilman Cullen seconded. All in favor.

Correspondence Received

1. Bruce Walker to Supervisor Hay Re: 911 Services in PC
2. Supreme Ct. NYS PC to TOSE Re: Petition-2226 Adams Place Realty Corp. v. Assessment Review Brd.
3. Andrew Stor to Supervisor Hay Re: WWTP Compliance Inspections (3) Blackberry Hills, Peach Lake & Brewster Heights
4. Sharon Codeanne to Supervisor Hay Re: Comcast-Internet Essentials
5. Resident to TOSE Re: Resume
6. James Burns to Michele Stancati (TC) Re: Aventine SCAR Petitions
7. Douglas Zimmerman to Supervisor Hay Re: Service Agreement for SE Train Station Fund
8. ACORD to TOSE Re: Liability Ins.-HomeBrands, Inc.
9. Supreme Ct. NYS PC to TOSE Re: Petitions (6) 332 Allview Ave., 82 Carriage Hill Dr., 15 Tea House Ln., 1574 Rt. 22, Glickenhau Brewster Dev. Inc. & Two International Blvd. v. ARB
10. Resident to Supervisor Hay Re: Traffic Situation on Minor Rd. & Rt. 312
11. NYSIF to TOSE Re: Workers' Compensation Ins.-Village of Brewster
12. Supreme Ct. NYS PC to TOSE Re: Petition-218 Foggintown Rd. v. ARB
13. Village of Brewster to TOSE Re: Annual Water Quality Report
14. Supreme Ct. NYS PC to TOSE Re: Petition-Pomona Development, LLC v. ARB
15. Supreme Ct. NYS PC to TOSE Re: Petitions (4) 300 Brewster Hill Rd., 2-10 Mt. Hope Ln., 323 Gage Rd. & 1801 Village Dr.
16. Supreme Ct. NYS PC to TOSE Re: Petition-North Salem Central School Dist. v. ARB
17. Greystone to TOSE Re: Risk & Ins. Mgmt.-Prkg. Commuter located at SE Brewster N.
18. Supreme Ct. NYS PC to TOSE Re: Petitions (2) 44 Nelson Blvd. & 323 Gage Rd. v. ARB
19. State Comptroller to TOSE Re: Justice Court Fund-6/16
20. Mary Ellen Pepi to TOSE Re: Spain Ins. Package Policy-4/16-4/17
21. ACORD to TOSE Re: Liability Ins.-Village of Brewster
22. NYSIF to TOSE Re: Workers' Compensation Ins.-ATNM Corp
23. ACORD to TOSE Re: Liability Ins.-Brown & Brown of NY Inc. dba Spain Agency
24. PC Board of Elections to TOSE Re: 2016 Primary Election
25. ACORD to TOSE Re: Liability Ins.-Chemung Supply Corp.
26. Supreme Ct. NYS PC to TOSE Re: Petition-Centennial Golf Club-v. ARB
27. Brewster Elks Lodge to TOSE Re: Patriot Day Memorial Service & Fall Festival
28. NYSDOT to TOSE Re: Traveler Advisory-I-684
29. NYSIF to TOSE Re: Workers' Compensation-James Ford Plumbing & Heating Co. Inc.
30. Marshall & Sterling to TOSE Re: Commercial Package Policy-Ralph Burdick Blacktopping Inc.
31. Greg Follchetti to Supervisor Hay Re: Justice Court Monthly Report-7/16

32. MaryEllen Odell to Dini LoBue Re: Proposed Cell Towers
33. Michael Schaefer to Supervisor Hay Re: I-684 Resurfacing Hardscrabble Rd. to I-84
34. Hudson Valley Regional EMS Council Transportation Committee to TOSE Re: Danbury Ambulance DBA American Medical Transportation Determination of Public Need
35. Florence Hayduk to TC Re: Drilling & Blasting at Fortune Ridge, 150 Deans Corner Rd.

Foils

- FilizDalo to Bldg. Dept. Re: Permits-6 Fields Ln.
- Brianna Savage to Bldg. Dept. Re: File-9 Carillon Rd.
- Patricia Devoe to Bldg. Dept. Re: File-111 Allview Ave.
- Lisa Tremblay to Bldg. Dept. Re: File-111 Allview Ave.
- Tina Mignano to Bldg. Dept. Re: CO's, Permits & Violations-10 Riverview Rd.
- Jane Wagner to Bldg. Dept. Re: CO's & Permits-304 Autumn Ln.
- William James to Bldg. Dept. Re: File-135 Turk Hill Rd.
- Francine Leeson to Bldg. Dept. Re: Floor Plans-188 Joes Hill Rd.
- Lisa Tremblay to Bldg. Dept. Re: Files-10 Tanager Rd.
- Hatie Chamberlain to Bldg. Dept. Re: Complaint Ltr. to Mgmt. Co. & Follow Up-402 Village Dr.
- Anna Russo to Bldg. Dept. Re: Survey-30 Hardscrabble Hgts.
- Richard O'Rourke to TC Re: All Correspondence from Independent Sewage Works as of 6/10/16
- Barbara Mueller to Bldg. Dept. Re: File-56 Locust Dr.
- Luis Gonzalez to Bldg. Dept. Re: File-4 Tulip Rd.
- Barbara Negro to Bldg. Dept. Re: File-9 Allish Ln.
- Mike Liguori to TC/Bldg. Dept. Re: File-Shady Ln.
- Linda Brown to Bldg. Dept. Re: Co's-124-126 Starr Ridge Rd.
- Jorge Handal to Bldg. Dept. Re: File-2366 Rt. 6
- N. Morandra to Bldg. Dept. Re: File-4 Tulip Rd.
- Eileen Kenning to Bldg. Dept. Re: File-32 Birch Hill Rd.
- Michael Marra to Bldg. Dept. Re: File-409 Maple Rd.
- Clock Tower Grill to Bldg. Dept. Re: File-1450 Rt. 22
- Heidi Chandler to Bldg. Dept. Re: CO's & Survey-61.-1-21
- Michael Alfinito to Bldg. Dept. Re: CO's & Surveys-150-152 Putnam Ave.
- Sharon Sheil to Bldg. Dept. Re: Files-124-126 Starr Ridge & 43 Saint James Place
- Sharon Jett to Bldg. Dept. Re: File-97 Maplewood Dr.
- Susanne Jackson to Bldg. Dept. Re: File-994 Rt. 22
- Resident to Bldg. Dept. Re: File-3 Middle Branch Ln.
- Frank Watson to Bldg. Dept. Re: CO's-602 Bentley Ct. & 405 Chestnut Dr.
- Kevin Shriver to Bldg. Dept. Re: File-108 Blackberry Dr.
- Joie Alebrande to Bldg. Dept. Re: File-705 Ashford Circle
- Tina Mignano to Bldg. Dept. Re: CO's, Permits & Violations-19 Elizabeth Ct.
- Phillip Casalla to Bldg. Dept. Re: Open Permits & Violations-4 Tulip Rd.

Emails

1. Terry Hahn to Ashley Ley/TC/Will Stephens/Rick O'Rourke Re: Barrett Hill
2. Brewster Elks #2101 to TC Re: Reminders & Events
3. Supervisor Hay to Jerry Martin Re: Order from Safeguard
4. Terri Hahn to TC Re: Barrett Hill EAF on Dropbox
5. Raegan Guglielmo to TC Re: Maintenance Bonds for High Meadow Farms
6. John Young to TC Re: 2012-2016 Town Board Salary Increases
7. L. Kotary to Supervisor Hay/TC Re: Admin. Fee Payment
8. Supervisor Hay to Resident Re: Resume
9. Betsy Cerone to NYDEC Re: 2017 Fishing Regulation Guides
10. Supervisor Hay to Resident Re: Prospect Hill Rd. Bridge
11. NYSDOH to TOSE Re: Drinking Water State Revolving Fund
12. Dina Colavito to TOSE Re: Highway Maintenance
13. NYSDEC to TC Re: Proposed Changes to Free Fishing Days
14. Laura Chapman to Pat Bohrman Re: Reopening Tonetta Lake
15. Residents to Supervisor Hay Re: (2) Resumes
16. Peggy Boyle to Warren Lucas/Supervisor Hay Re: Preserving Peach Lake
17. Barbara Skaarup to Supervisor Hay/Laurie Bell Re: 2016 Tentative Class Equalization Rates
18. Dave Sambora to TC Re: Grants for the American Legion & VFW
19. Barbara Iardi to TOSE Re: Zika Education Bags
20. John Costilow to Supervisor Hay/Ron Hund Re: SE Train Station Audit
21. Mechelle Chestnut to TC Re: Universal Life Minister
22. Resident to Supervisor Hay Re: AC at Senior Center
23. Supervisor Hay to Tom LaPerch Re: CFA Application for Sewer Extension Project
24. LevonBedrosian to Pierre Brissette Re: Peaceable Hill Status
25. Supervisor Hay to John O'Connor Re: Appointment to Fire Inspector
26. Victoria Desidero to TC Re: Bond Resolution-Fortune Ridge & Maco Land
27. Resident to Bob Cullen Re: Paving of Indian Wells Rd.
28. John Winton to TOSE Re: Shed the Meds-7/28/16
29. Willis Stephens to Putnam Press Re: Public Notice-Multifamily Work Force Housing Dist.
30. Chris DuBois to TOSE Re: 20 Years of Economic Development
31. Richard O'Rourke to Ashley Ley Re: Barrett Hill
32. Mike Bruen to Residents Re: Indian Wells Road Resurfacing
33. Garrett DeGraff to Supervisor Hay Re: Brewster Public Library
34. John Belyea to TOSE Re: EOHWC O&M Policy Implementation
35. Resident to Supervisor Hay Re: Concerns on Drovers Ln.
36. Resident to Supervisor Hay Re: Trespassing at the Springhouse Water District
37. LevonBedrosian to Supervisor Hay Re: Peaceable Hill Water Dept. Plan Revisions
38. Bonnie Colombo to Supervisor Hay Re: (2) NOVs 68.5-2-26 & 45.76-1-10
39. Tom Fenton to Mike Levine/TC/Mike Bruen Re: Amended Site Plan Review-Bravcor LLC
40. Than Hansen to TC Re: Semco Floor Resurfacing System
41. Gina Loprinzo to Supervisor Hay Re: Cost Estimate for Library
42. Jim MacNamee to TC Re: Bond Information for MACO
43. Bruce Walker to Supervisor Hay Re: Town Board Agenda-911 Services in the County
44. Ashley Ley to TC Re: Barrett Hill
45. Mike Liguori to TOSE Re: Letter of July, 2016
46. Resident to Supervisor Hay Re: Tree Trimming Damage on Tonetta Lake Rd.
47. Joe Dillon to Mike Levine/TC/Mike Bruen Re: Wetlands Permit-44 Starr Lea Rd.

48. TC to Terri Hahn Re: Barrett Hill
49. Resident to Supervisor Hay Re: TOSE Trespassing Incident
50. Resident to TC Re: Copy of Marriage License
51. Resident to TC Re: Marriage Information
52. Supervisor Hay to Ron Epstein Re: Highway Earmark
53. Willis Stephens to Putnam Press Re: Legal Notice-8/10/16
54. Joe Castellano to Supervisor Hay Re: Highview Terrace
55. Peter Parson to Supervisor Hay Re: East of Hudson Watershed Corp. Stormwater Retrofit Prog.
56. Laurie Bell to TOSE Re: 2226 Adams Place CERT Settlement
57. Diane Schofeld to Supervisor Hay Re: E-Waste Funding
58. Resident to Willis Stephens/Supervisor Hay Re: Real Property Used for Springhouse Water Supply
59. Julie Vega to TC Re: Folder Review for SE and BCSD

Correspondence Sent

1. Willis Stephens to TOSE Re: Public Assistance to Veterans' Organizations
2. Supervisor Hay to Warren Lucas Re: North Salem's Peach Lake LWRP CFA Grant
3. Tim Froessel to Barbara Barosa Re: (4) GML-m Referrals-Brewster Subaru, Brewster Honda Service Ctr., Henry Van Motel & Nutrishop
4. Tom LaPerch to James Hahn Re: Escrow Acct.-7 Sutton Pl.
5. Tom LaPerch to Mike Liguori Re: Escrow Acct.-Space on the Farm
6. Tom LaPerch to Peder Scott Re: Escrow Acct.-Farm to Market Rd. Subdivision
7. Tom LaPerch to Diana Gorman Re: Escrow Acct.-Glickenhau Academy
8. Tom LaPerch to John Durante Re: Escrow Acct.-Durante Rentals
9. Supervisor Hay to EFPR Group, CPAs PLLC. Re: TOSE Train Station Fund Representation Ltr.
10. Mike Levine to Resident Re: NOV-78.-1-20.-304
11. Joe Hernandez to Resident Re: NOV-56.15-2-47
12. Supervisor Hay to Residents Re: Trespassing Incident on TOSE's Property
13. Supervisor Hay to Todd Westhuis, NYS DOT Re: Traffic Situation at Minor Rd. & Rt. 312
14. Supervisor Hay to Springhouse Residents Re: Trespassing at Water District Plant
15. Supervisor Hay to Bruce Walker Re: Request to be Placed on Town Board Agenda
16. Mike Levine to Property Owners Re: NOVs(11)-57.-1-27, 56.12-3-57, 56.28-1-15, 57.12-1-1, 45.76-2-17, 67.6-1-38, 56.18-2-42, 67.6-1-38, 68.5-2-6, 68.5-2-22 & 46.-3-15
17. LevonBedrosian to Karen Timko Re: Metro-North for 2015 O&M Expense at Brewster Heights Wastewater Treatment Plant
18. TC to Resident Re: Delay in Marriage License Request
19. Mike Levine to Property Owners Re: NOVs(3), SWO-67.12-1-18, 58.5-1-26 & 58.5-1-27
20. Mike Levine to Property Owners Re: NOVs(4)-36.-1-30, 36.-1-31, 47.-1-17 & 47.-3-13
21. Mike Levine to Ryder Farm Re: Proposed Sign-Space on the Farm
22. Phillip Wissel to ZBA/Plng. Brd. Re: BRAVCOR-Negative Declaration
23. Willis Stephens to Resident Re: Real Property Formerly Used for Springhouse Water Supply
24. Mike Levine to Property Owner Re: NOVs, SWO-46.6-1-8

RESOLUTION NO.59 / 2016 2226 ADAMS PLACE REALTY SETTLEMENT OF CERTIORARI PROCEEDINGS

INTRODUCED BY: Supervisor Hay
SECONDED BY: Councilwoman Hudak

WHEREAS, proceedings have been commenced 2226 Adams Place Realty in NYS Supreme Court challenging the assessed valuation of multifamily residential premises known generally as 34 Putnam Avenue, Tax Map No. 56.18-1-2 for 2013, 2014, 2015 and 2016; and

WHEREAS, the Town Board is in receipt of settlement recommendations from the Town's Assessor, Appraiser and Town Attorney with regard to such proceedings.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Southeast does hereby accept the recommendations of its professional advisors and authorizes the Town Attorney to execute a Stipulation of Settlement, Consent Judgment and/or Order on Consent in accordance with said recommendations for the following:

<u>Petitioner</u>	<u>Tax ID</u>	<u>Year</u>	<u>Assessment</u>	<u>Settled Assessment</u>
2226 Adams Place	56.18-1-2	2013	\$1,800,000	\$ 1,800,000
		2014	\$1,800,000	\$ 1,710,000
		2015	\$1,925,000	\$ 1,800,000
		2016	\$2,050,000	\$ 1,925,000

And be it further RESOLVED, that the Town Attorney is hereby authorized and directed to execute any and all stipulations, consent orders or other documents necessary to reflect the foregoing settlements.

UPON A ROLL CALL VOTE:

Councilman Alvarez Aye
Councilman Cullen Aye
Councilwoman Eckardt Aye
Councilwoman Hudak Aye
Supervisor Hay Aye

VOTE: carried by a vote of 5 in favor, 0 against; 0 abstained.

RESOLUTION NO. 60 / 2016 WAYNE SNIFFEN RETIREMENT-HEALTH INSURANCE BENEFITS

INTRODUCED BY: Supervisor Hay
SECONDED BY: Councilman Alvarez

WHEREAS, Wayne Sniffen (“Sniffen”) is an employee of the Town of Southeast (“Town”) Highway Department; and

WHEREAS, Sniffen is represented by Local 456, International Brotherhood of Teamsters (“Union”); and

WHEREAS, the Town and the Union are parties to a collective bargaining agreement (“CBA”) providing for the terms and conditions of employment for employees of the Town represented by the Union; and

WHEREAS, Article II, Section 2(D) of the CBA provides that the Town shall pay 80% of the individual or family plan for medical/health insurance for retirees who have completed fifteen (15) years of continuous service with the Town; and

WHEREAS, Sniffen seeks to retire from employment with the Town; and

WHEREAS, Sniffen presently has more than fifteen non-continuous years of service with the Town; and

WHEREAS, upon retirement as planned, Sniffen will have approximately 14.4 years of continuous service with the Town; and

WHEREAS, it is recognized that if Sniffen were to delay his retirement to fulfill the strict provisions of the CBA, the Town could be left in the middle of the Winter plowing season with the need to fill a position with a new, untrained driver; and

WHEREAS, the Union has agreed to stipulate that any waiver of the strict requirements of the CBA in this instance will not be considered a “past practice” or be deemed a precedent in any future application of the CBA.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into a Stipulation of Agreement, in form, substance and manner of execution as approved by the Town Attorney, between the Town and the Union, wherein and whereby the parties agree to waive the requirement in Article II, Section 2(D) of the CBA that the fifteen years of service to the Town be “continuous”, in order to allow Wayne Sniffen to receive health insurance through the Town after he terminates his employment with the Town, provided such termination of employment occurs on or before October 1, 2016.

UPON A ROLL CALL VOTE:

Councilman Alvarez	<u>Aye</u>
Councilman Cullen	<u>Aye</u>
Councilwoman Eckardt	<u>Aye</u>
Councilwoman Hudak	<u>Aye</u>
Supervisor Hay	<u>Aye</u>

VOTE: carried by a vote of 5 in favor, 0 against; 0 abstained.

RESOLUTION # 61 / 2016

INTRODUCED BY: SUPERVISOR HAY
SECONDED BY: COUNCILWOMAN HUDAK

TOWN BOARD
TOWN OF SOUTHEAST
STATE OF NEW YORK

-----X
IN THE MATTER PURSUANT TO TOWN LAW
ARTICLE 12-A FOR THE ESTABLISHMENT OF
AN IMPROVEMENT DISTRICT TO BE KNOWN
AS THE **BIRCH HILL-HIGHVIEW WATER
DISTRICT** WHOLLY WITHIN THE TOWN OF
SOUTHEAST, NEW YORK
-----X

**ORDER CALLING FOR
PUBLIC HEARING**

WHEREAS,the Town Board of the Town of Southeast, New York (the “Town”), duly adopted a resolution directing Nathan L. Jacobson & Associates, the Town Engineer, to supervise the preparation of a map, plan and report for providing the facilities, improvements or services in a portion of the Town wherein a water district was proposed to be established and known as Birch Hill-Highview Water District, and

WHEREAS,the Town Engineer filed a map, plan and report for providing the facilities, improvements or services in a portion of the Town wherein a water district was proposed to be established, and

WHEREAS, the boundaries and tax parcels to be included in the proposed water district are annexed hereto as Schedule A; and

WHEREAS, the improvements proposed are the upgrade and improvement of the existing Birch Hill Water Company, a Transportation Corporation which served residents on Birch Hill Road,which has been conveyed to the Town, together with certain private facilities which previously supplied water to residents on Highview Terrace, and

WHEREAS, the maximum amount proposed to be expended for such improvement is \$275,000; and

WHEREAS, the proposed method to be employed for financing such improvement is as follows: real property tax assessments, municipal notes and bonds; and

WHEREAS, there are no hook-up fees associated with this improvement; and

WHEREAS, the estimated cost of said district to the typical property is \$1,400.00 per year; and

WHEREAS, a map, plan and report describing such improvement are on file in the office of the Town Clerk for public inspection, it is

ORDERED, that the Town Board shall meet at the Town Hall, 1360 Route 22, Brewster, New York, on the 22nd day of September, 2016, at 7:00 p.m., a date which is not less than ten (10) nor more than twenty (20) days from publication of this Order, for the purpose of conducting a public hearing on the proposal to establish said Birch Hill-Highview Water District pursuant to Article 12-A of the Town Law with the improvements specified above together with the environmental significance thereof pursuant to the New York State Environmental Quality Review Act (“SEQRA”), at which time and place all persons interested in the subject thereof may be heard concerning the same, and it is further

ORDERED, that the Town Clerk is hereby authorized and directed to publish a copy of this order in The Putnam Press, the official Town newspaper and post a copy of the same on the signboard of the Town, in the time and manner required by law.

By Order of the Town Board
Michele Stancati, Town Clerk

SCHEDULE “A”

The following Tax Lots are proposed to be included in the Birch Hill-Highview Water District:

67.15-1-7	67.15-2-1
67.15-1-8	67.15-2-2
67.15-1-9	67.15-2-3
67.15-1-10	67.15-2-4
67.15-1-11	67.15-2-5
67.15-1-12	67.15-2-6
67.15-1-13	
67.15-1-14	
67.15-1-15	
67.15-1-16	
67.15-1-17	
67.15-1-18	
67.15-1-19	
67.15-1-20	
67.15-1-21	
67.15-1-22	
67.15-1-23	
67.15-1-25	
67.15-1-26	
67.15-1-30	

UPON ROLL CALL VOTE:

Councilman Alvarez	<u>Aye</u>
Councilman Cullen	<u>Aye</u>
Councilwoman Eckardt	<u>Aye</u>
Councilwoman Hudak	<u>Aye</u>
Supervisor Hay	<u>Aye</u>

VOTE: carried by a vote of 5 in favor, 0 against; 0 abstained.

There was not Town Board or Public comment.

Councilman Alvarez made a motion to close the meeting and Councilwoman Hudak seconded. All in favor.

Respectfully Submitted,

Michele Stancati
Southeast Town Clerk