

TOWN OF SOUTHEAST
1360 Route 22, Brewster, New York 10509
Thursday October 20, 2016
EXECUTIVE SESSION 6:30 P.M.
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
Councilman Edwin Alvarez

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

And: 8 persons

EXECUTIVE SESSION

Supervisor Hay made a motion to go into Executive Session and discuss a contractual matter and Councilwoman Hudak seconded. All in favor.

Supervisor Hay made a motion to close the Executive Session where no decisions were made and Councilwoman Hudak seconded. All in favor.

PUBLIC HEARING

2017 Budget

Supervisor Hay made a motion to open the Public Hearing and Councilman Alvarez seconded. All in favor.

There was no Public or Town Board comment.

Supervisor Hay made a motion to close the Public Hearing and Councilman Cullen seconded. All in favor.

PRESENTATION

Putnam County Sheriff's Department

Captain Martin from the Putnam County Sheriff's Department came to speak about the many different calls they have responded to in the last year. He stated they get from 105 to 130 calls a month for Southeast, and they can be reached by phone, facebook and twitter. There was a question on how to get information out to the residents and Captain Martin stated that a lot of neighborhoods have a neighborhood watch set up with everyone's emails. He suggested if anyone was interested, to give Sergeant Cargain a call.

Southeast Museum

Amy Campanaro, director of the Southeast Museum, gave a brief overview of the Southeast Museum programs and services. She stated that all of the programs are free. Some mentioned were the Children's programs, Founders Day, Music Programs, the Sponsorship of SPACE on the Ryder Farm, Temporary and Ongoing Exhibits, Oral History Interviews, Research Projects, the collection and storage of artifacts, talks, international media coverage, and school visits and presentations. She thanked the Town Board and everyone for their continued support. Museum hours are Tuesday through Saturday, 9 am to 3 pm from April through November.

WORK SESSION

Nothing at this time

REGULAR MEETING

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

CORRESPONDENCE

Correspondence Received

1. Amy Campanaro to Supervisor Hay Re: Southeast Museum Funding Request
2. NYS DOT to TOSE Re: 11 Taconic St. Parkway Sign Upgrades
3. The Mental Health Assoc. in PC to Supervisor Hay Re: 14th Annual Gala
4. Lynn Rugan to TOSE Re: Response Procedures to Emergencies on Algonquin's Natural Gas Pipeline
5. Office for Senior Resources to TOSE Re: Elder Abuse Conference
6. NYSIF to TOSE Re: Workers' Compensation Ins.-Mullane Home Improvements
7. Angela Licata to TOSE Re: Upstate Water Supply Resiliency
8. Thomas DiNapoli to TOSE Re: Justice Court Fund

9. Albert Natoli to Michele Stancati (TC) Re: Reimbursement for Copies
10. Jeff Contelmo to TOSE Re: Site Plan & Special Permit Application for Guardian Veterinary Specialists
11. Supreme CT. NYS PC to TOSE Re: Santucci v. Zoning Board
12. Kingsley Onyeche to Supervisor Hay Re: Wide Load Vehicle Restriction on Rt. 312 at Minor Rd.
13. ACORD to TOSE Re: Liability Ins.-67 Main St.
14. NYS Workers' Compensation Board to TOSE Re: Cameo-Brewster c/o Harvest Properties
15. Congressman Maloney to Supervisor Hay Re: Potential Anchorage Sites Throughout the Hudson River
16. Margaret Miller to TOSE Re: Proposed 2017 Budget Brewster-SE Joint Fire District
17. Garrett DeGraff to Supervisor Hay Re: Proposed Brewster Public Library Addition Financing
18. Association of Towns to TOSE Re: 2016 Personnel Management School
19. Senator Murphy to Supervisor Hay Re: 2016 Veterans Hall of Fame Program
20. Veterans of Foreign Wars to TC Re: 2016 Charitable Gaming
21. Croton Falls Fire District to TC Re: Public Hearing-2017 Budget
22. Brewster-Southeast Joint Fire Dist. to TC Re: Public Hearing-2017 Budget
23. Kyle Neilson to TOSE Re: Maintenance Operations at Spectra Energy
24. Tracey O'Malley to Supervisor Hay Re: Comments on SEQR EAF for Barrett Hill, Mt. Ebo Lot 6
25. Thomas Johnson to Supervisor Hay Re: Chazen Capable of Transportation Planning & Traffic Engineering
26. Enforce Coverage Group to TOSE Re: Workers' Compensation Ins.-AAA Carting & Rubbish Removal, Inc.
27. Jamie Spillane to Tom LaPerch Re: Reinstate Site Plan: Brewster Hill General Store, 563 Rt. 312
28. Dale Cusack to Supervisor Hay Re: PC American Legion Dinner
29. Gerald Schramek to Supervisor Hay Re: Brewster SE Joint Fire District Dedication Ceremony
30. Senator Murphy to Supervisor Hay Re: 2016 Veterans' Hall of Fame
31. H2M Architects & Engineers to TOSE Re: Final Report Lakeview Shopping Plaza Existing Condition Assessment of Rear Property Retaining Wall
32. Angela Licata to TOSE Re: NYC's Long-Term Watershed Protection Program in Support of Renewal of its Filtration Avoidance Determination for the Catskill & Delaware System
33. NYSIF to TOSE Re: Workers' Compensation Ins.-Knight Security Systems
34. Carol Morali to TOSE Re: 2017 Parking Mgmt. Plan & Annual Operating Budget for Parking Facilities at SE Station, Harlem Line
35. Ronald Epstein to TC Re: NYSDOT Review of Funding Available for Roadway Restoration
36. Congressman Maloney to Supervisor Hay Re: The Transportation Alternatives Program
37. Senator Schumer to Supervisor Hay Re: Museums for America Grant Program
38. NYSIF to TOSE Re: Worker's Compensation Ins.-Master Pool NY Inc.
39. Aaron Mortensen to Jean Marc Roche Re: Crossing, Piping or Diversion Permit Application & Stormwater Pollution Prevention Plans Application for Bloomer Rd. to U.S. Rt. 6 Stormwater Retrofit
40. Association of Towns to TC Re: 2017 Training School & Annual Meeting
41. Resident to TC Re: Maps of SE
42. John Bairos to Kathleen Burgess Re: Important Information about Customer TV Boxes & Programming Contracts
43. NYS Comptroller to Supervisor Hay Re: 9/16 Justice Court Fund
44. ACORD to TOSE Re: Liability Ins.-Action Fuel Oil Corp.

Foils

- Peter Helmes to Bldg. Dept. Re: Files-2435 Rt. 6
- Linda Finn to Bldg. Dept. Re: Survey-83 Peter Rd.
- Kirsten Rusinko to Bldg. Dept. Re: Files-67 Birch Hill Rd.
- Lynn Stoecker to Bldg. Dept. Re: Open Permits-8 Bradford Ln.
- Thomas Pettinato to Bldg. Dept. Re: File-60 International Blvd.
- Bobbi Zacchi to Bldg. Dept. Re: CO's, Permits & Violations-8 Bradford Rd.
- Matthew Kazimir to Bldg. Dept. Re: File-2 Maple Ln.
- Mary McGreevy to Bldg. Dept. Re: File-1204 Blackberry Dr.
- Jenn DeFlerio to Bldg. Dept. Re: File-128 Main St.
- Ralston Boswell to TC Re: Survey-142 Dingle Ridge Rd.
- Patricia Brooks to TC Re: 2016 Salary Schedule
- Inquiry to TC Re: Accounting for Birch Hill Water District
- Tina Mignano to Bldg. Dept. Re: CO's, Permits & Violations-80 Fairview Rd.
- Rick O'Rourke to TC Re: Maps, Plans & Reports for ISW
- Arlene Simone to Bldg. Dept. Re: File-830 Drewville Rd.
- Nanci Kubek to Bldg. Dept. Re: File-1904 Holly Stream
- Howard Whitiger to Bldg. Dept. Re: File-223 Starr Ridge Rd.
- Shannon Nith to Bldg. Dept. Re: File-207 Turk Hill Rd.
- Ryan Sullivan to Bldg. Dept. Re: File-501 Covington
- Jessica Grutzner to Bldg. Dept. Re: Plans-830 Drewville Rd.
- Amy Aquino to TC Re: PO/Vendor Info.
- Mary McGreevy to Bldg. Dept. Re: File-92 Enoch Crosby Rd.
- Tina Mignano to Bldg. Dept. Re: CO's, Permits & Violations-70 Bloomer Rd.
- Mary McGreevy to Bldg. Dept. Re: File-99 Enoch Crosby Rd.
- Jacqueline Sessa to TC Re: Vendor Terms/Annual Contracts
- Doris Cahill to Bldg. Dept. Re: File-1 & 2 Shoreham Dr.
- Sabrina Victor to TC Re: Employee Salary, Earnings and Attendance Records
- Andrea Miccanelli to Bldg. Dept. Re: CO's-2 Marlin Ave.
- Peter Levy to Bldg. Dept. Re: File-9 East Hollow Rd.
- Linda Finn to Bldg. Dept. Re: CO's & Surveys-97 Maple Wood Dr. & 74 Garrity Blvd.
- Kristy Abbasciano to Bldg. Dept. Re: Survey-10 Knoll Ridge Ct.
- Ralston Boswell to Bldg. Dept. Re: Survey-11 Shore Dr.
- Tina Mignano to Bldg. Dept. Re: CO's, Permits & Violations-1402 Eagles Ridge Rd.
- Sharon Sheil to Bldg. Dept. Re: File-270 Allview Ave.

Emails

1. Kathleen Abels to Supervisor Hay Re: Damage Assessment Grant Funding Program
2. Levon Bedrosian to Bid Contractors Re: 2016 Garbage Bid
3. Resident to Supervisor Hay/Lynne Eckhardt Re: Paving Concerns on Welfare Rd.
4. Diana Toledo to TC Re: Site Bond for Two Starr Ridge Rd. Corp.
5. Joanne Stachyra to TC Re: Ownership of Pine View Dr.
6. Kathleen Abels to Supervisor Hay Re: ArcGIS Online

7. Supervisor Hay to David Ryan Re: Participation in Storm Damage Assessment Grant Funding Program
8. Jamie LoGiudice to TC Re: Guardian Veterinary Specialists
9. Victoria Desidero to TOSE Re: TB Approvals for 131 Fields Ln. & Bravcor
10. Karl Rohde to TC Re: Veterans Chowdown
11. Betsy Cerone to Victoria Desidero/Bonnie Colombo Re: Bond Received from MACO Properties
12. Betsy Cerone to Levon Bedrosian Re: Village of Brewster Hydrant Flushing
13. Resident to Mike Bruen Re: Fiber Matting on Welfare Rd.
14. Bob Cullen to Supervisor Hay/TB Re: TOSE & Village Shared Code Enforcement Officer
15. John O'Connor to Mike Levine Re: Vendor Selling Products at I84 & 312
16. Resident to Mike Bruen Re: Maintenance on Pumphouse Rd.
17. Resident to Peter Convery Re: Suspicious Activity in Milltown Area
18. Bonnie Colombo to Jeff Berkman Re: NOV-577 North Main St.
19. Residents to Supervisor Hay Re: Garbage Pickup at Shady Ln.
20. Resident to Supervisor Hay Re: Animal Concerns at Shady Ln.
21. Bob Cullen to Connie Buetti Re: Water Quality at the Brewster Central School District
22. Willis Stephens to R. O'Rourke/J. Hogan/J. Lawyer/H. Lepler Re: Decision in the Matter Napolitano, et al. v. TOSE-Crossroads 312
23. Kay Evans to TC Re: Link to TOSE Website
24. Dina Colavito to TOSE Re: Roadwork on I684 & Rt. 22
25. Supervisor Hay to Mayor Schoenig Re: Renovations at 67 Main St. for Town of Southeast Cultural Arts Coalition Association Inc. (TOSCAC)
26. Resident to TC Re: Resume
27. Jennett Bissinger to Supervisor Hay Re: Comments on SEQR EAF for Barrett Hill, Mt. Ebo Lot 6
28. Annette McNinch to TC Re: Help with a Press Release
29. Resident to TC Re: Burn Permit
30. Jim Alfieri to TC Re: VIP Grand Opening of Spins Bowl
31. Cathy Croft to TOSE Re: Board of Elections New Polling Site in SE
32. Resident to Supervisor Hay Re: Water Service Problems
33. Ashley Ley to Mike Levine Re: Brewster Honda Lighting
34. Resident to Joseph DePaola/Mike Levine/Mike Liguori/Supervisor Hay Re: Shady Ln.
35. Supervisor Hay to Mayor Schoenig/TOSE Re: Executive Session Follow Up on Code Enforcement Officer
36. Levon Bedrosian to TOSE Re: 2016 BID Garbage Refuse Analysis
37. Laurie Bell to TOSE Re: Settled Certorari
38. Supervisor Hay to Mayor Schoenig Re: Code Enforcement Officers & Inspectors
39. Rick O'Rourke to Will Stephens/TC Re: Letter of Credit for Glickenhau Brewster Development
40. Jeff Bergstrom to TC Re: Fire Alarms
41. Resident to TC Re: Marriage License
42. Peter Hansen to Levon Bedrosian Re: Interruption of Water Service on Allview Ave. & Meadow Ln.
43. Paul Vink to TOSE Re: Appointment to ZBA
44. Marian Falk to Ann Garris/TC Re: 2017 Croton Falls Fire District

Correspondence Sent

1. Joe Hernandez to Resident Re: NOV-33 Birch Dr.

2. Mike Levine to Resident Re: NOV-3 Middle Branch Ln.
3. Mike Levine to Resident Re: Containment of Animals on 87 Brewster Hill Rd.
4. Mike Levine to Resident Re: Stop Work Order-NOV at 5 Shady Ln.
5. Supervisor Hay to Plumtrees Plumbing & Heating Re: Damage to Mountainbrook Water District
6. Tom LaPerch to Diana Gorman Re: Escrow Account-Glickenhau Academy
7. Tom LaPerch to Paul Lynch Re: Escrow Account-Starr Lea Development
8. Tom LaPerch to John Durante Re: Escrow Account-Durante Rentals
9. Tom LaPerch to Joe Buschynski Re: Escrow Account-Maco Land Properties
10. Tom LaPerch to Westchester Modular Homes Re: Escrow Account-131 Starr Ridge Rd. Subdiv.
11. Tom LaPerch to Peder Scott Re: Escrow Account-Farm to Market Rd. Subdiv.
12. Levon Bedrosian to Lawn Service Bidders Re: 2017-2019 Lawn Maintenance Services
13. Tim Froessel to Barbara Barosa Re: (2) Area Variances on 142 Milltown Rd. & 1224 Rt. 22
14. Supervisor Hay to Mayor Schoenig Re: Renovations at 67 Main St. for TOSCAC
15. Supervisor Hay to Gina Loprinzo Re: Reimbursement for Invoice by Barclay Damon, LLP
16. Tom LaPerch to All Involved Agencies Re: Henry Tree Service-EAF
17. Supervisor Hay to Andrea Olenius/Sharona Berken Re: Code Enforcement Officers & Inspectors
18. Joe Hernandez to Resident Re: NOV, Accessory Apts.-56 Deans Corner Rd.
19. Supervisor Hay to Carol Morali Re: Commuter Parking Facilities at SE Station, Harlem Line
20. Mikel Levine to Resident Re: Fence Measurements, Special Permits & Garbage Enclosure at 5 Shady Ln.
21. Mike Levine to Resident Re: Existing Single Family Home, R60 Zone-8 Bradford Ln.
22. Supervisor Hay to All Employees Re: Free Flu Shot Clinic Provide by Rite Aid

VOUCHERS

Supervisor Hay made a motion to approve the Vouchers in the amount of \$612,850.47. Councilwoman Hudak seconded. All in favor.

MEETINGS

Supervisor Hay made a motion to set the following meeting dates to be held at 1360 Route 22, Brewster, New York at 7:00 P.M. unless otherwise noted. Councilwoman Hudak seconded. All in favor.

Thursday, November 3, 2016 – Work Session / Regular Meeting

Thursday, November 17, 2016 – Work Session / Regular Meeting
- Public Hearing

BUDGET TRANSFERS

Supervisor Hay made a motion to approve the Budget Transfers and Councilman Cullen seconded. All in favor.

RESOLUTION NO. 76 / 16 HEALTH REIMBURSEMENT ARRANGEMENT (HRA)

INTRODUCED BY: Supervisor Hay

SECONDED BY: Councilwoman Hudak

WHEREAS, the cost and availability of medical insurance coverage has fluctuated over the years, and

WHEREAS, the Town of Southeast continues to seek and make available to its employees valuable and affordable options for health coverage, and

WHEREAS, since 2014 the Town has made available to its employees a Health Reimbursement Arrangement (HRA) program through MVP and that HRA is due for renewal, now therefore it be

RESOLVED, that the form of amended and restated Welfare Benefit Plan, effective June 1, 2016, presented to this Town Board (and a copy of which is attached hereto) is hereby approved and adopted and that the Supervisor of the Town of Southeast is hereby authorized and directed to execute and deliver to the Administrator of said Plan one or more counterparts of the Plan; and be it further

RESOLVED, that the Administrator shall be instructed to take such actions that the Administrator deems necessary and proper in order to implement the Plan, and to set up adequate accounting and administrative procedures for the provision of benefits under the Plan; and be it further

RESOLVED, that the Supervisor shall act as soon as possible to notify the employees of the Town of Southeast of the adoption of the Plan and to deliver to each employee a copy of the Summary Plan Description of the Plan, which Summary Plan Description is attached hereto and is hereby approved.

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 NO. 77 / 2016 SETTLEMENT OF CERTIORARI PROCEEDINGS

INTRODUCED BY: Supervisor Hay

SECONDED BY: Councilman Alvarez

WHEREAS, proceedings have been commenced in NYS Supreme Court challenging the assessed valuation premises known generally as Tax Map No. 57.5-3-1.1 for 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>
Vita	57.5-3-1.1	2016	\$649,000	\$540,000

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 settlement.

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. 78 /2016 REFUSE DISTRICT AWARD CONTRACT FOR REFUSE COLLECTION AND REMOVAL FROM RESIDENTIAL PROPERTIES

INTRODUCED BY: Supervisor Hay

SECONDED BY: Councilwoman Hudak

WHEREAS, the existing contract for residential refuse removal services is due to expire on December 31, 2016; and

WHEREAS, the Town Board has circulated and published Requests for Proposals for, and sought competitive bids from, qualified contractors to supply for the collection of refuse, garbage, recyclable materials and refuse collection and removal services to the residents of the Town of Southeast; and

WHEREAS, in response to the aforesaid Requests, the Town Clerk did receive proposals from several bidders; and

WHEREAS, the Town Clerk has received and opened the bids in accordance with the provisions of the General Municipal Law and such bids were read aloud and recorded; and

WHEREAS, members of the Town Board have analyzed the proffered bids and supporting documentation and have reviewed the bonds and insurance policies maintained and presented by each participating firm.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Southeast hereby finds and determines that upon review of all the foregoing data that the lowest responsible bidder for the provision of Refuse Collection and Removal Services to the Town of Southeast Garbage and Refuse District is **Suburban Carting** pursuant to bid received on October 5, 2016 for a contract to commence January 1, 2017 and ending on December 31, 2019 in the initial amount of **\$1,756,170.00** per year; and be it further

RESOLVED, that the Supervisor be and he hereby is authorized to execute any and all contracts, agreements, notices and to forward a Notice to Proceed to **Suburban Carting** for a contract term of three (3) years commencing January 1, 2017 and ending December 31, 2019.

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.

Supervisor Hay made a motion to waive the rules and add a motion to the agenda. Councilman Alvarez seconded. All in favor.

LIASION APPOINTMENT TO PUTNAM COUNTY SHERIFF'S DEPARTMENT

Supervisor Hay made a motion to appoint Councilman Cullen to be the Town Liaison to the Putnam County Sheriff's Department. Councilman Alvarez seconded. All in favor.

SUPERVISOR'S REPORT

Supervisor Hay stated that the 2017 Budget is on the website and that he and the Town Board did the best they could do. Our Outside Counsel and Engineering costs are still over because of lawsuits to the Town, but other than that, we are in good shape. The tax cap is .06% and we stayed under for another year, but it's getting harder and we need relief from Albany.

TOWN BOARD COMMENT

Councilwoman Eckardt asked if the Supervisor can check the fuel bill for Lakeview Manor because it seems high. She also suggested that they revisit giving benefits to Town Board members.

Councilman Cullen congratulated Officer Nick Mirko for his service to the Village and Town. He is moving on to a new job.

Supervisor Hay wanted to compliment Dina Colavito and her crew for her great job paving Route 22 and Route 312. She was the Engineer in charge and in constant communication with the Town. He suggested that now we work on the speeding issue on Route 22.

PUBLIC COMMENT

Mr. Ryan thanked the Town Board for doing an amazing job with the Budget and hopes they are aware of the gratitude from the residents.

Loretta Lebitsch asked the Supervisor why we were changing our garbage company and he responded that their contract was up, and we went out to bid and are accepting the lowest bid for the full contract. Mrs. Lebitsch also asked where you can purchase a cover to throw out your mattress and the Supervisor said Home Depot.

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

Respectfully Submitted,

Michele Stancati
Southeast Town Clerk