

TOWN OF SOUTHEAST
1360 Route 22, Brewster, New York 10509
Thursday, January 10, 2019
ORGANIZATIONAL MEETING 7:00 P.M.
WORK SESSION / REGULAR MEETING 7:20 P.M.

Pledge of Allegiance

Notation of Exits

Turn Off/Put on Vibrate – All Electronic Devices

Present: Supervisor Tony Hay
Councilman John Lord
Councilman Eric Larca
Councilwoman Lynne Eckardt
Councilman Edwin Alvarez

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

And: 7 Persons

ORGANIZATIONAL MEETING

Supervisor Hay made a motion to open the Organizational Meeting and Councilwoman Eckardt seconded. All in favor.

Supervisor Hay made a motion to pass the following motions as one unless otherwise stated in motion. Councilman Alvarez seconded. All in favor.

- 1) **Motion to Adopt Rules of Order – Roberts Rules of Order**
- 2) **Motion to Adopt Town Board Meeting Dates – Thursday January 24; February 7 and 28; March 14 and 28; April 11 and 25; May 9 and 23; June 6 and 27; July 11 and 25; August 8 and 29; September 12 and 26; October 10 and 24; November 7 and 21; December 5 and 19.**
- 3) **Motion to Set Roll Call Voting Order of the Town Board – Edwin Alvarez, Lynne Eckardt, Eric Larca, John Lord, Tony Hay**
- 4) **Motion to Designate Official Depositories for the Town of Southeast – Tompkins Mahopac Bank and/or other banks that may need to be designated from time-to-time.**
- 5) **Councilman Alvarez made a motion to Appoint Official Newspaper – The Putnam Press, and any other newspaper if necessary. Councilman Larca seconded. All in favor.**

- 6) Motion to Adopt Employee Handbook**
- 7) Motion to Appoint Emergency Coordinator – Gerald Schramek**
- 8) Motion to Designate Town Consulting Engineer – Nathan L. Jacobson & Associates, Inc.**
- 9) Motion to Designate Town Consulting Planner – AKRF Inc.**
- 10) Motion to Appoint Willis H. Stephens Jr. – Town Attorney**
- 11) Motion to Appoint Delegate to Annual Association of Towns Meeting and Alternate – Michele Stancati, Alternate, Willis H. Stephens, Jr.**
- 12) Motion to Appoint Fixed Assets Officer – Ron Hund**
- 13) Motion to Set Mileage Rate – Per IRS**
- 14) Motion to Adopt Standard Work Day – In accordance with Union Contracts**
- 15) Motion to Appoint the Dog Control Officer – Courtney Pagano**
- 16) Motion to Authorize Putnam County to Levy Taxes**
- 17) Motion to Appoint Parking Enforcement Officers – Michael Levine, Joe Hernandez, Peter Carey, Gerald Schramek**
- 18) Motion to Appoint Parking Administrator – Susan Tobacco**
- 19) Motion to Appoint Deputy Supervisor - To be designated when necessary from time to time.**
- 20) Motion to Appoint Administrative Assistant to Supervisor – Chris DuBois**
- 21) Motion to Appoint Town Tax Receiver – Susan Tobacco**
- 22) Motion to Appoint Deputy Tax Receiver – Maureen Callen, Billie Jo Froessel and Sherri Migliaccio**
- 23) Motion to Appoint Deputy Town Clerks – Elizabeth Cerone and Donna Milazzo**
- 24) Motion to Appoint Deputy Town Clerk Elizabeth Cerone as Deputy Registrar of Vital Statistics**

25) Motion to Appoint Town Court Clerk – Janice Bergquist, AnnMarie Milano

26) Motion to Appoint Zoning Officers – Michael Levine, Joe Hernandez, Gerald Schramek

27) Motion to Appoint Town Historian – John Duncan

28) Motion to Appoint the Following Board Seats:

Architectural Review Board – John Goudy and Katherine Weber terms to expire 12/31/21

Ethics Board – Michele Stancati term to expire 12/31/19, Anthony Colello term to expire 12/31/20, Nancy Jacob term to expire 12/31/21

Historic Sites Commission – John Duncan, term to expire 12/31/25

Library Board – Kevin Finnegan and Kathleen Sakowicz, terms to expire 12/31/23

Planning Board – Eric Cyprus, term to expire 12/31/25

Tonetta Lake Advisory Board – Karl Lebitsch, Patricia Bohrman, Mike Langley, Robert Lund, Karen Ratajack, Bill McGregor (1 year term)

29) Motion to Appoint Tom LaPerch to Planning Board Chairman and David Rush Vice Chairman

30) Motion to Appoint Planning Board Secretary – Victoria DeSidero

31) Motion to Appoint John Goudey to Architectural Review Board Chairman.

32) Motion to Appoint Timothy Froessel to Zoning Board of Appeals Chairman and Paul Vink Vice Chairman

33) Supervisor Hay made a motion to Appoint Liaisons for Town Departments. Councilman Lord seconded. All in favor.

Architectural Review Board – Edwin Alvarez

Code Enforcement – John Lord

Highway – Lynne Eckardt

Historic Sites Commission – Lynne Eckardt

Library – Lynne Eckardt

Parking – John Lord

Planning Board – Lynne Eckardt, Eric Larca

Recreation – John Lord

Special Districts – Eric Larca

Village – John Lord

Zoning Board of Appeals – Edwin Alvarez

34) Motion to Set 2019 Fee Schedule

35) Motion to have Employees sign 2019 Town Vehicle Policy

36) Motion to have All Employees sign Ethics Policy

37) Motion to Adopt 2019 Holiday Schedule

**38) Motion to extend IMA Shared Services with the
Village of Brewster - Uniformed Court Officer – Parking Enforcement
of dedicated lots**

39) Motion – Standard Workday and Reporting by Elected Officials

Supervisor Hay made a motion to close the Organizational Meeting and Councilman Alvarez seconded. All in favor.

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

WORK SESSION

Discussion – Short EAF – Local Law to Amend the Architecture Review Board Process

There was no discussion.

REGULAR MEETING

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

**RESOLUTION NO. 1 / 2019 SETTLEMENT OF CERTIORARI PROCEEDINGS
BLOCK BUILDING ASSOCIATES – TAX MAP 59.19-1-40.2**

INTRODUCED BY: Supervisor Hay
SECONDED BY: Councilwoman Eckardt

WHEREAS, proceedings have been commenced in NYS Supreme Court challenging the assessed valuation of premises owned by Block Building Associates, Tax Map No. 56.19-1-40.2, for the 2018 tax roll; and

WHEREAS, the Town Board is in receipt of a recommendation from its Assessor, Appraiser and Town Attorney in connection with the assessed valuation of the subject premises.

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>
Block Building Associates	56.19-1-40.2	2018	\$1,575,000	\$1,050,000

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 forgoing settlement.

UPON A ROLL CALL VOTE:

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

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

RESOLUTION NO. 2 / 2019 SETTLEMENT OF CERTIORARI PROCEEDINGS
KELLISON HOLDINGS – TAX MAP 68.5-2-6

INTRODUCED BY: Supervisor Hay
SECONDED BY: Councilwoman Eckardt

WHEREAS, proceedings have been commenced in NYS Supreme Court challenging the assessed valuation of premises owned by Kellison Holdings, Tax Map No. 68.5-2-6, for the 2018 tax roll; and

WHEREAS, the Town Board is in receipt of a recommendation from its Assessor, Appraiser and Town Attorney in connection with the assessed valuation of the subject premises.

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>
Kellison Holdings	68.5-2-6	2018	\$1,525,900	\$1,200,000

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 forgoing settlement.

UPON A ROLL CALL VOTE:

Councilman Alvarez	<u>Aye</u>
Councilwoman Eckardt	<u>Aye</u>
Councilman Larca	<u>Aye</u>
Councilman Lord	<u>Aye</u>
Supervisor Hay	<u>Aye</u>

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

RESOLUTION NO. 3 / 2019 BANKING RESOLUTION
MAHOPAC BANK – BREWSTER PUBLIC LIBRARY IMPROVEMENT FUND

INTRODUCED BY: Supervisor Hay
SECONDED BY: Councilman Alvarez

WHEREAS, Mahopac Bank has been established as an authorized depository for Town funds;
and

WHEREAS, the Town has or will soon be in receipt of grant funds for use in the capital improvements proposed for Brewster Public Library; and

WHEREAS, these capital improvement funds will be raised through the sale of bond and other municipal finance instruments and these funds must be maintained in separate segregated accounts; and

WHEREAS, Mahopac Bank requires Town Board resolutions authorizing the establishment of such separate segregated accounts.

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor and Town Finance Officer are hereby authorized to establish a separate and segregated demand deposit account with Mahopac Bank and shall deposit therein such funds received through the sale of bonds or otherwise for the purpose of making capital improvements to Brewster Public Library; and be it further

RESOLVED, that the Supervisor, Town Board members and Town Finance officer are hereby authorized to sign and execute any and all “signature cards” or other necessary documentation prepared by the Town’s banking institution to evidence such signing authority; and be it further

RESOLVED, that all checks drawn on such demand deposit accounts shall require two (2) signatures consisting of any two (2) individual members of the Town Board and/or the Town Financial Officer (Ron Hund); and be it further resolved

RESOLVED, that the Town Clerk is hereby authorized and directed to forward a certified copy of this Resolution to the Town Accounting and Bookkeeping Department and to Mahopac Bank forthwith.

UPON ROLL CALL VOTE:

Councilman Alvarez	<u>Aye</u>
Councilwoman Eckardt	<u>Aye</u>
Councilman Larca	<u>Aye</u>
Councilman Lord	<u>Aye</u>
Supervisor Hay	<u>Aye</u>

VOTE: Resolution passed, by a vote of 5, to 0, 0 abstained.

RESOLUTION NO. 4 / 2019 BANKING RESOLUTION MAHOPAC BANK – BREWSTER PUBLIC LIBRARY FUND

INTRODUCED BY: Supervisor Hay
SECONDED BY: Councilman Alvarez

WHEREAS, Mahopac Bank has been established as an authorized depository for Town funds; and

WHEREAS, the Town budgets funds on an annual basis to be used for operation and maintenance of the Brewster Public Library; and

WHEREAS, these funds are raised through the general tax levy and must be maintained in a separate segregated account; and

WHEREAS, Mahopac Bank requires Town Board resolutions authorizing the establishment of such separate segregated accounts.

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor and Town Finance Officer are hereby authorized to establish a separate and segregated demand deposit account with Mahopac Bank and shall deposit therein such funds as are appropriated and re-appropriated to Brewster Public Library on an annual basis; and be it further

RESOLVED, that the Supervisor, Town Board members and Town Finance officer are hereby authorized to sign and execute any and all "signature cards" or other necessary documentation prepared by the Town's banking institution to evidence such signing authority; and be it further

RESOLVED, that all checks drawn on such demand deposit accounts shall require two (2) signatures consisting of any two (2) individual members of the Town Board and/or the Town Financial Officer (Ron Hund); and be it further resolved

RESOLVED, that the Town Clerk is hereby authorized and directed to forward a certified copy of this Resolution to the Town Accounting and Bookkeeping Department and to Mahopac Bank forthwith.

UPON ROLL CALL VOTE:

Councilman Alvarez	<u>Aye</u>
Councilwoman Eckardt	<u>Aye</u>
Councilman Larca	<u>Aye</u>
Councilman Lord	<u>Aye</u>
Supervisor Hay	<u>Aye</u>

VOTE: Resolution passed, by a vote of 5, to 0, 0 abstained.

RESOLUTION NO. 5 /2018 RESOLUTION TO DECLARE LEAD AGENCY

INTRODUCED BY: Supervisor Hay

SECONDED BY: Councilwoman Eckardt

WHEREAS, the Town Board of the Town of Southeast is considering the adoption of a local law to amend Chapter 3 of the Town Code, 'Architecture Review Board'; and

WHEREAS, the Town Board is the only agency that has the authority to amend the Town Code and, therefore, no other agencies are considered potential Involved Agencies;

NOW, THEREFORE BE IT RESOLVED, that pursuant to §617.6(b)(1) of the State Environmental Quality Review Act (SEQRA), the Town Board of the Town of Southeast, hereby declares itself Lead Agency for purposes of SEQRA for this Unlisted Action.

In addition to the factors considered above, the Town Board considered the following guidance from the State Environmental Quality Review Act and its implementing regulations and determined that the Proposed Action would:

- (i) Not result in "a substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic or noise levels; a substantial increase in solid waste production; a substantial increase in potential for erosion, flooding, leaching or drainage problems;" (§617.7(c)(1)(i))
- (ii) Not result in "the removal or destruction of large quantities of vegetation or fauna; substantial interference with the movement of any resident or migratory fish or wildlife species; impacts on a significant habitat area; substantial adverse impacts on a threatened or endangered species of animal or plant, or the habitat of such a species; or other significant adverse impacts to natural resources;" (§617.7(c)(1)(ii))
- (iii) Not result in "the impairment of the environmental characteristics of a Critical Environmental Area as designated pursuant to subdivision 617.14(g) of this Part;" (§617.7(c)(1)(iii))
- (iv) Not result in "the creation of a material conflict with a community's current plans or goals as officially approved or adopted;" (§617.7(c)(1)(iv))
- (v) Not result in "the impairment of the character or quality of important historical, archaeological, architectural, or aesthetic resources or of existing community or neighborhood character;" (§617.7(c)(1)(v))
- (vi) Not result in "a major change in the use of either the quantity or type of energy;" (§617.7(c)(1)(vi))
- (vii) Not result in "the creation of a hazard to human health;" (§617.7(c)(1)(vii))
- (viii) Not result in "a substantial change in the use, or intensity of use, of land including agricultural, open space or recreational resources, or in its capacity to support existing uses;" (§617.7(c)(1)(viii))
- (ix) Not result in "the encouraging or attracting of a large number of people to a place or places for more than a few days, compared to the number of people who would come to such place absent the action;" (§617.7(c)(1)(ix))
- (x) Not result in "the creation of a material demand for other actions that would result in one of the above consequences;" (§617.7(c)(1)(x))
- (xi) Not result in "changes in two or more elements of the environment, no one of which has a significant impact on the environment, but when considered together result in a substantial adverse impact on the environment; or" (§617.7(c)(1)(xi))
- (xii) Not result in "two or more related actions undertaken, funded or approved by an agency, none of which has or would have a significant impact on the environment, but when considered cumulatively would meet one or more of the criteria in this subdivision." (§617.7(c)(1)(xii))

In conclusion, the Proposed Action will not have any significant adverse environmental impacts.

For Further Information:

Contact Person: Michele Stancati, Town Clerk
Address: Town of Southeast Town Hall
1360 Route 22
Brewster, NY 10509
Telephone Number: (845) 279-2196

A Copy of this Notice has been filed with:

- Hon. Tony Hay, Supervisor, Town of Southeast
- Michele Stancati, Town Clerk, Town of Southeast
- Putnam County Department of Planning/Development & Public Transportation, 841 Fair Street, Carmel, NY 10512

RESOLUTION NO. 7 /2019 LOCAL LAW No. 1 / 2019 AMENDING CHAPTER 3
“ARCHITECTURAL REVIEW BOARD”

INTRODUCED BY: Supervisor Hay

SECONDED BY: Councilwoman Eckardt

WHEREAS, a resolution having been adopted by the Town Board of the Town of Southeast for a public hearing to be held by said Town Board to hear all interested parties on a proposed local law which would amend Chapter 3 of the Code of the Town of Southeast, entitled “ARCHITECTURAL REVIEW BOARD” to amend the referral process for “minor” and “major” projects; and

WHEREAS, notice of said public hearing was advertised in an official newspaper of the Town of Southeast in the manner prescribed by law, such public hearing was held on November 29, 2018 and all interested persons were given an opportunity to be heard at that times; and

WHEREAS, it is the sense of this Town Board that the proposed local law will promote the general health, safety and welfare of the public.

NOW, THEREFORE, BE IT

RESOLVED, the Town Board of the Town of Southeast hereby adopts Local Law No. 1 of 2019 which would enact amendments to Chapter 3 of the Code of the Town of Southeast, entitled “Architectural Review Board”, to modify the referral process for minor and major projects; and be it further

RESOLVED, that the Town Clerk be and hereby is authorized and directed to (a) enter said Local Law in the minutes of this meeting and in the Code Book of the Town of Southeast; and (b) give due notice of the adoption of said local law by filing such with the Secretary of State of New York within the time required by law.

UPON A ROLL CALL VOTE:

Councilman Alvarez	<u>Aye</u>
Councilwoman Eckardt	<u>Aye</u>
Councilman Larca	<u>Aye</u>
Councilman Lord	<u>Aye</u>
Supervisor Hay	<u>Aye</u>

VOTE: Resolution passed, by a vote of 5 , to 0 , 0 abstained.

PUBLIC COMMENT

Michael Bruen had a complaint about how his FOIL was handled and the Town Clerk suggested he call Robert Freeman at the Committee on Open Government, Department of State for an explanation of the FOIL law. He also complained that his vendor's permit has been denied because he isn't 30 ft back from the road. Councilman Lord said he spoke to Michael Levine in the Building and Code Enforcement Department and stated Mr. Levine said it would be criminal on his part for the Town to be put in a position where anyone would be in harms way. Councilman Lord doesn't think Mr. Levine is being restrictive, he told Mr. Bruen it's for the welfare and safety of his costumers and the residents.

Eileen McBride asked about the closed E waste bin and asked where to bring the old electronics now. Supervisor Hay stated that Putnam County was in control of the program and the vendor chose not to continue with the program. The Supervisor stated that he and the County are working on it. Councilwoman Eckardt stated that she will be attending a County meeting and see if there is any resolution yet. She wished everyone a Happy New Year.

TOWN BOARD COMMENT

Councilwoman Eckardt wished everyone a Happy New Year!

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

Respectfully Submitted,

Michele Stancati
Southeast Town Clerk