

**TOWN OF SOUTHEAST**  
**1360 Route 22, Brewster, New York 10509**  
**Thursday, January 21, 2021**  
**WORK SESSION / REGULAR MEETING 7:00 P.M.**

Pledge of Allegiance

Present: Supervisor Tony Hay  
Councilman John Lord  
Councilman Eric Larca  
Councilman John O'Connor  
Councilman Edwin Alvarez

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

**This meeting took place by videoconferencing, Zoom, and was recorded and posted on the Town of Southeast website.**

**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 Alvarez seconded. All in favor.

**CORRESPONDENCE**

**Correspondence Received**

1. JMC Planning Engineering Landscape Architecture to TOSE Re: SEQRA Commercial Campus at Fields Corner
2. Acord Insurance to TOSE Re: Algonquin Gas Transmission LLC
3. Comcast to TOSE Re: Regional Sports Networks
4. Laberge Group to Supervisor Hay Re: Engineering Needs in 2021

5. NYS DEC to Resident & TOSE Re: Violations of Environmental Conservation Law-57 Milltown Road
6. Putnam County Executive, Mary Ellen O'Dell to Supervisor Hay Re: Vaccination Distribution
7. Acord Insurance to TOSE Re: Maco Land Properties, LLC
8. Acord Insurance to TOSE Re: D. A. Collins Construction Co. Inc.
9. Acord Insurance to TOSE Re: Sterling Environmental Engineering PC
10. All State Insurance to TOSE Re: Hudson Valley Engineering-Auto
11. PC Board of Elections to TC Re: 2021 General Election Certificate
12. Acord Insurance to TOSE Re: Sterling Environmental Engineering PC
13. Laberge Group to Supervisor Hay Re: Infrastructure Grants
14. Acord Insurance to TOSE Re: Lawton Adams Construction Corp.
15. VFW to TOSE Re: PC Memorial Day Convoy-TOSE May 25, 2020
16. Acord Insurance to TOSE Re: Structure Works Construction Inc.
17. Acord Insurance to TOSE Re: Systems Development Group Inc.
18. Comcast to TOSE Re: Comcast Northeast Operations Center
19. Charles Martabano, Attorney at Law to Tom LaPerch, PB & TB Re: Route 22 Master Plan and Zoning Update
20. Brown & Brown Insurance to TOSE Re: Inland Marine
21. Brown & Brown Insurance to TOSE Re: Commercial Auto
22. NYS DOT to Supervisor Hay Re: Traffic Light-Route 6 & Starr Ridge Road
23. Acord Insurance to TOSE Re: Systems Development Group Inc.
24. Supreme Court of PC to TOSE Re: TOSE v. Brewster Auto Inc.
25. Zarin & Steinmetz to Supervisor Hay & TB Re: Putnam Seabury Partners-Stipulation of Settlement

#### FOILS

- Esll Ulas to Bldg. Dept. Re: All Building Records-426 Rt. 312
- David Partlow to Bldg. Dept. Re: All Building Records-8 E. Hollow Road
- Stacey Godlewski to Bldg. Dept. Re: All Building Records-425 Route 312
- Lauren Camerino to Bldg. Dept. Re: All Building Records-1 Coyote Court
- Mary Lou Anderson to Bldg. Dept. Re; All Building Records-
- Nicholas Redka to Bldg. Dept. Re: Survey-273 North Brewster Road
- Sean Goodwin to Bldg. Dept. Re: All Building Records-50 Sodom Road
- Nicholas Redka to Bldg. Dept. Re: Survey-509 Route 312
- Jenn DeFlorio to Bldg. Dept. Re: Plans, Permits & Survey-5 Scenic Ridge Drive
- Robin Dennard to Bldg. Dept. Re: All Building Records-84 Maplewood Drive
- String Tax Certs to Acct. Re: Water/Sewer Bill-202 Autumn Lane
- Michelle Gunn to Bldg. Dept. Re: Propane Permit-16 Saint James Place
- Gino Semoneta to Bldg. Dept. Re: All Building Records-305 Guinea Road
- String Tax Certs to Acct. Re: Water/Sewer Bill-1202 Holly Stream Court
- Christina Duarte to Bldg. Dept. Re: Building Plans-21 Bloomer Rd.
- Justin Pierogostini to Bldg. Dept. Re: All Surveys, Site Maps & Septic-845 Drewville Road
- Melissa Mellett to Bldg. Dept. Re: Violations & Open Permits-45 Sunset Drive
- Thomas Pettinato to Bldg. Dept. Re: All Building Records & Fire Inspection Files-106 Fields Lane
- Carlos Daeira to Bldg. Dept. Re: Building Application & Drawings-1785 Route 22

- Karyne Aabel to Bldg. Dept. Re: All Building Records-22 Prospect Street
- Kim Giarraputo to Bldg. Dept. Re: All Building Records-4 Rusk Lane
- Rose D'Angelo to Bldg. Dept. Re; All Building Records-245 Allview Ave.
- String Taxcerts to Accounting Re: Water/Sewer Billing-5202 Autumn Lane
- Pedro Montes to Bldg. Dept. Re: Surveys & Drawings-190-192 Route 22
- Michael Coraziano to Bldg. Dept. Re: All Building Records-227 Doansburg Road
- George Ennabe to Bldg. Dept. Re: All Building Records-71 & 72 Oak Street
- Lauren Camerino to Bldg. Dept. Re: C of O Oil Tank Removal-23 North Road
- Janet Short to Bldg. Dept. Re: All Building Records-1501 Windsor Lane
- Patricia O'Connell to Bldg. Dept. Re: Architectural Plans-1204 Farmdale Road
- String Taxcerts to Accounting Re: Water/Sewer Billing-658 Milltown Road
- Salie Morales to Bldg. Dept. Re: All Building Records-973 Route 22

#### Email

1. Supervisor Hay to NYS DOT Re: Plowing of Non-Town Road off of Route 312 Creating Hazardous Conditions
2. Supervisor Hay to Employee Re: Return to Work Schedule
3. Laurie Bell to TB & TC Re: Outstanding Certoraris-2020
4. TC to NYS DOH Re: Application for Copy of Birth Certificates
5. Resident to Supervisor Hay Re: Letter of Thanks to Highway Dept. Plowing During Storm
6. Louis Albano, Putnam County Director of Code Enforcement to Supervisor Hay & M. Levine Re: Pause Enforcement/Pause Complaints-10509 Zip Code
7. Ashley Ley, AKRF to TB & TOSE Re: Draft of Route 22 Southeast Master Plan
8. TC to NYS Health Dept. Re: Application for Copy of Birth Certificates
9. Supervisor Hay to TB Re: PC Dept. of Health-School Testing Plan-COVID
10. Supervisor Hay to VOB Mayor Jim Schoenig Re: Restoration of Power to Wells Park Buildings
11. Resident to Supervisor Hay Re: Rental Registration-561 Brewster Hill Road
12. Supervisor Hay to TB Re: Rental Registration Letters
13. General Code to TC Re: Code Supplement Estimate
14. Supervisor Hay to Beth McKinney Re: 1 Starr Ridge Road
15. NYS DEC to Supervisor Hay Re: NYS DEC Cottontail Rabbit Surveys
16. U.S. Census Bureau to TOSE & TC Re: 2021 Boundary and Annexation Survey (BAS)
17. Resident to Supervisor Hay Re: LED Street Lights
18. Supervisor Hay to Dept. Heads Re: Installation of GPS Devices
19. Supervisor Warren Lucas Town of North Salem to Supervisor Hay Re: 46 Seven Oaks Lane-TOSE
20. Judy Marano to Supervisor Hay Re: Theater Use in the Fall
21. Jamie Lo Giudice to TC Re: Drew Realty SiteOne
22. C. Chiudina, Recreation Dept. to Supervisor Hay Re: Tennis Shed at Castle Park

#### Correspondence Sent

1. Thomas Fenton to TC Re: Stormwater Maintenance Agreement & Easement within TOSE
2. TC to Sani Pro Disposal Services Suburban Carting Co. Re: Solid Waste Permits-2021
3. TOSE to Barbara Barosa, PC Planning & Development Re: Use Variance-190-192 Route 22
4. TOSE to Ace Endico Re: Industrial Development Revenue Bonds-Tax Map ID 45.-1-31.2

5. TOSE to Ace Endico Re: Industrial Development Revenue Bonds-Tax Map ID 45.-1-29
6. TOSE to Barbara Barosa, PC Planning & Development Re: Application for a Variance-Convince Realty
7. TOSE to Property Owner Re: Escrow Account-Commercial Campus at Fields Corner
8. TOSE to Property Owner Re: Escrow Account-Algonquin Pipeline Maintenance
9. TOSE to Property Owner Re: Escrow Account-Baker Farm Subdivision
10. TOSE to Property Owner Re: Escrow Account-Barrett Hill
11. TOSE to Property Owner Re: Escrow Account-Hardscrabble Road
12. TOSE to Property Owner Re: Escrow Account-Maffei
13. TOSE to Property Owner Re: Escrow Account-Las Mananitas
14. TOSE to Property Owner Re: NOV/OTR-11 Sunset Drive
15. TOSE to Property Owner Re: NOV/OTR-2180 Route 6
16. TOSE to Property Owner Re: NOV/OTR-15 Root Ave.
17. TOSE to Property Owner Re: NOV/OTR-2503-2505 Carmel Ave.
18. TOSE to Property Owner Re: NOV/OTR-137 Overlook Drive
19. TOSE to Property Owner Re: Rental Registration Inspection-10 B Elmhurst Ave.
20. TOSE to Property Owner Re: Rental Registration Inspection-236 A Tonetta Lake Road
21. TOSE to Property Owner Re: Rental Registration Inspection-4 Elmhurst Ave.
22. TOSE to Property Owner Re: Rental Registration Inspection-236 B Tonetta Lake Road
23. TOSE to Property Owner Re: Rental Registration Inspection-10 A Elmhurst Ave.
24. TOSE to Property Owner Re: Rental Registration Inspection-261 Tonetta Lake Road
25. TOSE to Property Owner Re: Rental Registration Inspection-784-790 Route 312-Apt. # E 11
26. TOSE to Property Owner Re: Rental Registration Inspection-784-790 Route 312-Apt. # C 2
27. TOSE to Property Owner Re: Rental Registration Inspection-784-790 Route 312-Apt. # D 1
28. TOSE to Property Owner Re: Rental Registration Inspection-784-790 Route 312-Apt. # D 2
29. TOSE to Property Owner Re: Rental Registration Inspection-784-790 Route 312-Apt. # MH 8
30. TOSE to Property Owner Re: Rental Registration Inspection-784-790 Route 312-Apt. # MH 7
31. TOSE to Property Owner Re: NOV/OTR-11 Maple Drive
32. TOSE to Property Owner Re: NOV/OTR-3867 Danbury Road
33. TOSE to Daniel M. Richmond, Esq. Re: Fee Accounting-Commercial Campus at Fields Corner
34. TOSE to Barbara Barosa, PC Planning & Development Re: Site Plan Amendment-1535 Route 22
35. Tom LaPerch to ZBA Re: Brewster Ford Building Addition
36. TOSE to Property Owner Re: NOV/OTR-410 Route 312
37. TOSE to Property Owner Re: NOV/OTR-416 Route 312
38. TOSE to Property Owner Re: NOV/OTR-431 Route 312
39. TOSE to Property Owner Re: NOV/OTR-430 Route 312
40. TOSE to Property Owner Re: NOV/OTR-422 Route 312
41. TOSE to Property Owner Re: NOV/OTR-419 Route 312
42. TOSE to Property Owner Re: NOV/OTR-417 Route 312
43. TOSE to Property Owner Re: NOV/OTR-3839 Danbury Road
44. TOSE to Property Owner Re: NOV/OTR-260 North Brewster Road

### **VOUCHERS**

Supervisor Hay made a motion to approve the Vouchers in the amount of \$992,166.28 and Councilman Alvarez seconded. All in favor.

**BUDGET TRANSFERS**

Supervisor Hay stated that the Town Accountant hasn't finished with the year end results yet, so this will be deferred until next meeting.

**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. Councilman Alvarez seconded. All in favor.

Thursday, February 4, 2021 – Work Session / Regular Meeting

Thursday, February 18, 2021 – Work Session / Regular Meeting

**RESOLUTION NO. \_\_\_\_\_ / 21 BREWSTER HONDA SERVICE CENTER RELEASE OF PERFORMANCE BOND ESTABLISHMENT OF MAINTENANCE BOND - DEFERRED**

INTRODUCED BY: Supervisor Hay

SECONDED BY: Councilman Larca

WHEREAS, the Town Board of the Town of Southeast is in receipt of a report and recommendation from the Town Engineer and referral from the Planning Board with respect to the release of Performance Bond and Establishment of Maintenance Bonds for the BREWSTER HONDA SERVICE CENTER project located at 2-4 Allview Avenue, Tax Map No. 68.-1-4; and

WHEREAS, such report recommends the release of the balance of the performance bond held in connection with this project on the condition that appropriate maintenance bond is posted.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk is hereby directed to cancel and return the original performance security for BREWSTER HONDA SERVICE CENTER, 2-4 Allview Avenue, in the remaining secured amount of \$32,500.00, and to return any and all original bonds, deposits, letters of credit or other indicia of security posted in connection with this project UPON THE EXPRESS CONDITION that the applicant / owner first files the following with the Town Clerk:

- (a) Landscape Maintenance Bond in the surety amount of \$2,000 for a period of two (2) years; and
- (b) Stormwater Facility Maintenance Bond in the surety amount of \$20,200.00 for a period of four (4) years.

UPON ROLL CALL VOTE:

Councilman Alvarez	_____
Councilman Larca	_____
Councilman Lord	_____
Councilman O'Connor	_____
Supervisor Hay	_____

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

**THIS RESOLUTION WAS DEFERRED TO A LATER DATE.**

**RESOLUTION NO. 3 / 2021 SPECIAL DISTRICT WATER AND SEWER RATES**

INTRODUCED BY: Supervisor Hay  
SECONDED BY: Councilman Alvarez

WHEREAS, the Town Board of the Town of Southeast establishes water and sewer rates for its several water and sewer improvement districts; and

WHEREAS, such rates are set at such a level so as to recover the necessary funds to repay capital borrowing and the expenses of operation and maintenance; and

WHEREAS, such funds are apportioned among the several owners of real property and benefitted parties within each district.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Southeast hereby accept the recommendations of the special district administrator and establishes the water and sewer rates for each of the Town's Special Improvement Districts for the year 2021 as set forth in the schedule of rates annexed hereto and made part hereof.

UPON A ROLL CALL VOTE:

Councilman Alvarez	<u>Aye</u>
Councilman Larca	<u>Aye</u>
Councilman Lord	<u>Aye</u>
Councilman O'Connor	<u>Aye</u>
Supervisor Hay	<u>Aye</u>

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

**RESOLUTION NO. 4 / 2021 COLLINS BROTHERS – 82 FIELDS LANE SETTLEMENT OF CERTIORARI PROCEEDINGS**

INTRODUCED BY: Supervisor Hay  
SECONDED BY: Councilman Alvarez

WHEREAS, proceedings have been commenced by Collins Brothers Industries, Inc. in NYS Supreme Court under Index No. 500791/2020 challenging the assessed valuation of commercial premises known generally as 82 Fields lane, Tax Map No. 78.-2-8 for the 2020 tax roll; 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>
Collins Brothers Industries	78.-2-8	2020	\$3,858,600	\$3,740,000

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	<u>Aye</u>
Councilman Larca	<u>Aye</u>
Councilman Lord	<u>Aye</u>
Councilman O'Connor	<u>Aye</u>
Supervisor Hay	<u>Aye</u>

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

**RESOLUTION NO. 5 / 2021 PREFERRED EQUITY LOCKE, LLC – 1639 ROUTE 22 SETTLEMENT OF CERTIORARI PROCEEDINGS**

INTRODUCED BY: Supervisor Hay  
SECONDED BY: Councilman Alvarez

WHEREAS, proceedings have been commenced by Preferred Equity Locke, LLC in NYS Supreme Court under Index No. 500665/2020 challenging the assessed valuation of commercial premises known generally as 1639 Route 22, Tax Map No. 46.-3-13 for the 2020 tax roll; 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>
Preferred Equity Locke, LLC (aka Life Storage)	46.-3-13	2020	\$8,055,000	\$7,652,000

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	<u>Aye</u>
Councilman Larca	<u>Aye</u>
Councilman Lord	<u>Aye</u>
Councilman O'Connor	<u>Aye</u>
Supervisor Hay	<u>Aye</u>

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

**RESOLUTION NO. 6 / 2021 VAILS GROVE GOLF COURSE – 230 PEACH LAKE ROAD  
SETTLEMENT OF CERTIORARI PROCEEDINGS**

INTRODUCED BY: Supervisor Hay  
SECONDED BY: Councilman Alvarez

WHEREAS, proceedings have been commenced by Vails Grove Golf Course, Inc. in NYS Supreme Court under Index No. 500669/2020 challenging the assessed valuation of commercial premises known generally as 230 Peach Lake Road, Tax Map No. 79.-1-45 for the 2020 tax roll; 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>
<u>Vails Grove Golf Course Inc</u>	79.-1-45	2020	\$1,121,000	\$1,060,500

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 Larca              Aye  
Councilman Lord               Aye  
Councilman O'Connor        Aye  
Supervisor Hay                Aye

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

**SUPERVISOR'S REPORT**

Supervisor Hay stated that he doesn't have anything to report at this time.

**PUBLIC COMMENT**

Scott Seaman, Brewster Board of Education member, updated the Town on the Brewster Schools. He stated that the schools went back to hybrid learning this week, with some children back in the classrooms. He also stated that the school nurses are all vaccinated and random testing will begin next week. He wished the Town Board a Happy New Year.

**TOWN BOARD COMMENT**

Councilman Lord asked the Supervisor if the Budget transfers will be at the next meeting and the Supervisor replied yes, as soon as the year-end report is finished. He also asked if the highway department will be submitting a 284 form for the roads this year and Supervisor Hay replied yes.

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

Respectfully Submitted,

Michele Stancati  
Southeast Town Clerk