

TOWN OF SOUTHEAST
1360 Route 22, Brewster, New York 10509
Thursday, January 23, 2020
EXECUTIVE SESSION 5:45 p.m.
WORK SESSION / REGULAR MEETING 7:00 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
Councilman John O'Connor
Councilman Edwin Alvarez

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

And: 12 Persons

EXECUTIVE SESSION

Supervisor Hay made a motion to open the meeting and go into Executive Session for Planning Board Interviews. Councilman Lord seconded. All in favor.

Supervisor Hay made a motion to close the Executive Session where no decisions were made. Councilman Lord seconded. All in favor.

PRESENTATION

Town Assessor Laurie Bell gave a brief explanation about the new STAR Changes, implemented by the state. Anyone who owned their own primary residence got the basic STAR, and anyone over 65 got the enhanced STAR. In 2016, the state said if you make more than \$500,000.00, you don't qualify and it's coming off your school bill. In 2019 more changes were made. Any income between \$250,000.00 and \$500,000.00, they switched them from a credit off their school bill to a credit check. Anybody who gets a basic STAR currently on their house, doesn't have to worry about any changes. Any new property owners have to register directly with the state, online at www.tax.ny.gov or with a phone call at (518)-474-2036. They will only get a STAR credit check; it will no longer come off your school bill.

Last year the seniors over 65 had to sign an income verification form, which since they're now registered with the state, the state verifies their income every year. If the seniors didn't sign that form last year, then the state was not granting them the enhanced exemption. If the state can't verify their income, they won't get the enhanced STAR, they only get the basic STAR. Recently, if the state can't verify their income by tax return, the state is sending physical letters to the seniors and asking them to fill out the information and send it back to the state. It's all being handled directly through the state, not through the local assessor's office any more. The only reason anyone would need to come to the assessor's office now for STAR is if they are receiving the basic STAR and currently turning 65, and under the threshold allowed, they can come in to the office and we can change to enhanced STAR and then they will be registered with the state, who will verify their income going forward. The only other reason a senior will come into the office before March 1st is to register for the Senior discount, in which their income is substantially lower; \$37,400.00. For basic STAR, the income level is \$88,050.00, verified by the state. In September there were changes with those with the basic STAR that exceeded the threshold, and they automatically got switched from the exemption on the school bill to getting a credit check in the mail, and that could mess up their escrow account if they have a mortgage. If you're getting an exemption off your school bill, don't switch to a credit check. With any income thresholds the state changes, they verify it with your tax returns every year. For enhanced and basic STAR, it's your federally adjusted gross, less any IRA deductions. They are currently looking at your 2018 tax deductions for the 2020 school bill.

WORK SESSION

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

Discussion – Stateline Retail Center

Mr. Paul Carmada and Mr. Jeff Contelmo gave a brief description on the Stateline project. The project requires a subdivision approval from the Planning Board, a Site Plan, Wetland Permit and Special Permit from the Town Board. The property is located on Route 6/202, right pass Raci's Restaurant. There will be 4 lots, of which one will be used for a 57,500 Square ft Restaurant Depot store. They have been working with the DOT for the last 12 months and the only significant change is that the proposal would realign Farrington Road to create a four-way intersection with a new driveway entrance.

Highway Superintendent Update

Highway Superintendent Michael Burdick gave the Town Board an update on some equipment that needs to be replaced in the highway department. The equipment needing to be replaced is a Blacktop Roller, Hydraulic Excavator, and 2 Federal Surplus Plow Trucks. He is also working on a vehicle replacement schedule which will make it easier to plan and budget for in the future. Superintendent Burdick also stated they will be doing a lot more of the paving in house than out sourcing it.

REGULAR MEETING

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

CORRESPONDENCE

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

Correspondence Received

1. Allstate Insurance to TOSE Re: Certificate of Insurance-Hudson Valley Engineering
2. Resident to TOSE & Supervisor Hay Re: Resume
3. Putnam County Courier to Supervisor Hay and Michele Stancati, TC Re: Request for Official Paper for Legal Notices
4. New York Schools Insurance Reciprocal to TOSE Re: Certificate of Insurance Brewster Central School District by Brown & Brown, dba Spain
5. Putnam County Press to TOSE & TB Re: Request to Re-designate Putnam County Press as Official Newspaper for Southeast
6. Resident to Supervisor Hay & TB Re: Resume
7. Town of Ridgefield, CT to TC Re: Application for Affordable Housing Development at Turner Road & Barnum Place
8. NYS DOT to Supervisor Hay Re: Traffic Signal Study Route 6 & Route 121 Intersection
9. Vanguard Investors LTD. to Supervisor Hay & Tom LaPerch, Planning Board (PB) Re: Caremount Medical Building Parking Lot
10. Acord Insurance to TOSE Re: Sani-Pro Disposal Services
11. Acord Insurance to TOSE Re: Maco Land Properties LLC
12. Acord Insurance to TOSE Re: Black Electric Inc.
13. Acord Insurance to TOSE Re: Comcast of New York LLC
14. Acord Insurance to TOSE Re: Lawton Adams Construction Corp.
15. Acord Insurance to TOSE Re: Systems Development Group Inc.
16. Acord Insurance to TOSE Re: Quality Environmental
17. Board of Elections PC to TC Re: 2020 General Election
18. Resident to Bldg. Dept. Re: Letter of Thanks
19. NYS DEC to Supervisor Hay Re: CFA Application Climate Smart Communities Project-Cobb Road Culvert
20. NYS Unified Court System to Supervisor Hay Re: Request for Internal Audit Copy
21. Brewster Southeast Joint Fire District to TC Re: Results of 2019 Fire Commissioner Election
22. Office of the State Comptroller to Supervisor Hay Re: Justice Court Fund 11/2019
23. Acord Insurance to TOSE Re: Sterling Environmental Engineering
24. Acord Insurance to TOSE Re: Structure Works Construction, Inc.
25. Acord Insurance to TOSE Re: M.J. Losito Electrical Contractors, Inc.
26. Supreme Court of the State of New York County of Putnam vs. TOSE Re: Order to Show Cause Resident vs. TOSE
27. Acord Insurance to TOSE Re: Girl Scouts heart of the Hudson Inc.
28. Law Office of Edward Gabel to TOSE Re: Served Order to Show Cause
29. Tom LaPerch, Planning Board to 1360 Rt. 22 Re: Notice of Public Hearing
30. Acord Insurance to TOSE Re: Lee Seward Plumbing & Heating, Inc.

31. Dan's Lawn Care to TOSE Re: Lawn Services-21 Old Doansburg Rd.
32. Jacobson & Associates to Tom LaPerch, A. Ley, M. Levine, M. Burdick, Insite Engineering & TB Re: Subdivision Application-ProSwing
33. Acord Insurance to TOSE Re: DGC Contracting Corp.
34. Acord Insurance to TOSE Re: National Sign Corporation
35. Acord Insurance to TOSE Re: First Baptist Church of Brewster
36. State of NY Association of Towns to TC Re: Annual Meeting & Training School
37. PC Dept. of Finance to Supervisor Hay Re: Erroneous 2019/20 School Tax Bill Cost
38. New York State OCF to TOSE Re: Tonetta Lake

FOILS

- Dawn Gambichler to Bldg. Dept. Re: All Building Records-19 Middlebranch
- Michael Johnson to Bldg. Dept. Re: All Building Records-13 Rockledge Drive
- Michael Willmad to Bldg. Dept. Re: All Building Records-9 Foster Road
- Vera Karaqi to Bldg. Dept. Re: Survey-4 Meadow Drive
- Luis Diaz to Bldg. Dept. Re: All Building Records-20 East Hollow Road
- Gerard Briscoe to Bldg. Dept. Re: Site Plan-2 Lincoln Road
- Janine Alberghni to Bldg. Dept. Re: Garage Build-104 Welfare Road
- Benjamin Sano, Empire Center to TC Re: Local 456 Teamsters Contract
- C.J. Nadler to Bldg. Dept. Re: All Building Records & Survey-161 Peaceable Hill Rd.
- Craig Cole to Zoning Dept. Re: Application-273 Starr Ridge Road
- Kevin Nigey to Planning Board Re: Copy of Environmental Study, Deed, Copy of Town Laws, Rules & Regulations Re: Wetlands, Copies of PB & TB Meetings
- Danielle Raguzin to Bldg. Dept. Re: Tax & Property Records & Bldg. Permits
- Justin Billingsley to Bldg. Dept. Re: All Bldg. Records-122 Sherwood Hill Road
- Denise Spangler to Bldg. Dept. Re: All Bldg. Records-302 Driftway Lane
- Elogene Gallos to Bldg. Dept. Re: Permit History-14 Briar Drive
- Cathy Croft to TC Re: Planning Board Minutes 11-25-19 & 12-9-19
- Joyce Loffredo to Bldg. Dept. Re: Inspection & Application for Hot Water Heater & Gas Furnace-602 Apple Tree Lane
- Chris Basso to Zoning and Planning Boards Re: Zoning/Planning Board Approval-American Tower Corp 3925 Danbury Rd.
- Gregory Jahner to Planning Board Re: Proposed Sub-division-273 Starr Ridge Rd.
- Julie Coulter to Bldg. Dept. Re: All Bldg. Records-100 & 110 Prospect Hill Road
- John Piazza to Bldg. Dept. Re: All Bldg. Records-16 Pumphouse Rd.
- Pamela Carinci to Bldg. Dept. Re: All Bldg. Records-5 Oak Rd.
- Kevin Joyce to Bldg. Dept. Re: All Bldg. Records-274 Allview Ave.
- Barbara Beshears to Bldg. Dept. Re: All Bldg. Records-213 Tonetta Lake Road
- Michael Di Guglielimo to Bldg. Dept. Re: Permit for Fence Around Pool-9 Barnum Ct.
- Russell Barrella to Bldg. Dept. Re: All Building Records & Permits-90 Harvest Drive
- Chris Krok to Bldg. Dept. Re: Owner/Rental Information-6 Oak Road
- John Morgan to Bldg. Dept. Re: All Building Records-42 Shore Drive
- Patricia DAlesio to Bldg. Dept. Re: All Building Records-483 N Salem Road
- Kristen Haefner to Bldg. Dept. Re: All Building Records-19 Locust Drive, 27 Locust Drive, 20 Hickory Dr. & 26 Hickory Dr.

- Patrick Fahey to Bldg. Dept. Re: First Floor & Basement Plans-31 Mt. Ebo Road North
- Domenic Simone to Bldg. Dept. Re: Property Map, Well, & Septic, All Code Violations-5 Oak Rd.
- Jeffrey Battistoni to Planning Dept. Re: Site Plan & Special Use Permit-Putnam County Temple & Jewish Center

Emails

1. Betsy Cerone, Deputy TC to Andrew Shephard Re: Alarm Permit Renewals Correction
2. Jon Lepler to Supervisor Hay & Town Board (TB) Re: C of O Caremount Parking Lot
3. TC to Suburban Carting Re: Solid Waste Application and Permit
4. Resident to Supervisor Hay & Michael Levine, Bldg. Dept. Re: Open Burn
5. Resident to TC Re: Scan of Marriage License
6. Resident to Supervisor Hay Re: Graffiti Lower Mine Road
7. Supervisor Hay to Solar Energy Company Re: Solar Energy Property Lease Project-RFP
8. TC to Putnam Press Re: Southeast Town Board Meeting-Community Events
9. Resident to TB Re: Request to pave Maple Road
10. Resident to Supervisor Hay & TB Re: Southeast-Danbury Railroad Line
11. Resident to Supervisor Hay & TC Re: 31 Seven Oaks Lane
12. Highway Superintendent Bruen to Supervisor Hay Re: Transition
13. Supervisor Hay to Matt Skane, Comcast Re: Downed Wires at the Intersection of Seven Oaks Lane and Starr Ridge Road
14. Resident to Supervisor Hay & TB Re: Southeast Station Parking Issues
15. Kevin Nigey to TC Re: Concerns/Issues with Driveway Installation at Scenic Ridge Drive
16. Olenna Truskett to Levon Bedrosian, Supervisor Hay & TC Re: RFP Clarification
17. Laurie Bell, Assessor to Andrew Negro, PC, W. Stephens, TA, TC, & Supervisor Hay Re: Parcel Transfers to PC in the TOSE
18. Michele Stancati, TC to Highway Superintendent Bruen Re: FOIL
19. Resident to Supervisor Hay Re: Property Damage-7 Oaks Lane
20. Supervisor Hay to Ken Clair Re: Tilly Foster False Alarms
21. John Diaz to TC Re: Marriage License
22. Ellen Ryan to Supervisor Hay & TB: Thank you to Lynne Eckhardt
23. Bonnie Berk to TC Re: Marriage Certificate Copy
24. Michael Levine, Bldg. Dept. to Dr. Walling Re: Special Permit
25. Tom La Perch, Planning Board Re: Notice of Public Hearing
26. Resident to TB Re: Request for 3 Way Stop Sign Intersection of Indian Wells & Gage Rd
27. James Cotterman to TC Re: Request for Vital Records
28. Laurie Bell, Assessor to TC, Bldg. Dept. Planning Dept., Ken Clair, & Bibbo Associates Re: Roth Nursery Subdivision New Road, Name of Road & E911's
29. Supervisor Hay to Justice Vercollone Re: Temporary Leave of Absence
30. NYS Department of Financial Services to TOSE Re: Cybersecurity Risk Alert
31. Tom Fenton PE to Levon Bedroisan, Special Districts, TC, Highway Superintendent Burdick Re: Paukner-Blackberry Sewer
32. Supervisor Hay to All Town Employees Re: 2020 Town Vehicle Policy
33. Supervisor Hay to All Town Employees Re: TOSE Code of Ethics and Financial Disclosure Law
34. Supervisor Hay to NYS DOT Re: Traffic Light Junction Route 22/East Main Street Improperly Functioning

35. Resident to Highway Superintendent Burdick & Supervisor Hay Re: 398 Brewster Hill Road
36. P.W. Scott Eng. & Arch. to Supervisor Hay Re: 212 Allview Ave.-Mazzotta 208A Submission

Correspondence Sent

1. Victoria Desidero, Planning Dept. (PB) to PW Scott Engineering & Architecture Re: Hamed, 211 Joe's Hill Road
2. TOSE to US Bank Trust N.A. Re: NOV- 21 Old Doansburg Lane
3. Supervisor Hay to Highway Superintendent Bruen Re: Transition
4. TOSE to Property Owner Re: NOV/OTR-257 North Brewster Road
5. Michele Stancati, Town Clerk (TC) to Allan Twitty LLC Re: Bond Release
6. Laurie Bell, Assessor to Ace Endico Corporation Re: Industrial Development Revenue Bonds
7. Laurie Bell, Assessor to Ace Endico Corporation Re: Industrial Development Revenue Bonds
8. Laurie Bell, Assessor to Seven Sutton Place; Joseph J. Sisca Re: Industrial Development Revenue Bonds
9. TOSE to Property Owner Re: NOV/OTR-2 Scenic Ridge Road Ste.100
10. TOSE to Property Owner Re: NOV/OTR-28 Bloomer Road
11. TOSE to Property Owner Re: NOV/OTR-15 Mount Ebo Road South
12. TOSE to Property Owner Re: NOV/OTR-36 Locust Drive
13. TOSE to Property Owner Re: NOV/OTR-2551 Carmel Ave.
14. TOSE to Property Owner Re: NOV/OTR-51 Mountain Brook Dr.
15. TOSE to Property Owner Re: NOV/OTR-2 Garden St.
16. TOSE to Michael Sheridan, Esq. Re: Escrow Account-NYSMSA d/b/a Verizon
17. TOSE to James Hahn Re: Escrow Account-Putnam Business Park Addition
18. TOSE to Brian Bury Re: Escrow Account-NYSEG Tilly Foster MTA
19. TOSE to P.W. Scott, Engineering & Architecture, P.C. Re: Escrow Account-Allview Ave. Subdivision aka Mazzotta
20. TOSE to Michael Shortell, Lead Engineer Re: Escrow Account-New York American Water
21. TOSE to Bart Lansky, Partners Management Re: Escrow Account-577 North Main
22. TOSE to John Karell, P.E. Re: Escrow Account-Maffei
23. TOSE to Brewster Medical Building Re: Commercial/Residential False Fire Alarm Warning
24. TOSE to 66 Indian Wells Rd. Re: Re: Commercial/Residential False Fire Alarm Warning
25. TOSE to Unilock Re: Re: Commercial/Residential False Fire Alarm Warning
26. TOSE to 601 Orchard Hill Lane Re: Re: Commercial/Residential False Fire Alarm Warning
27. TOSE to 7 Pine View Drive Re: Re: Commercial/Residential False Fire Alarm Warning
28. TOSE to 280 Rte. 22 Re: Commercial/Residential False Fire Alarm Warning
29. TOSE to Powers Fasteners Re: Re: Commercial/Residential False Fire Alarm Warning
30. TOSE to M&T Re: Re: Commercial/Residential False Fire Alarm Warning
31. TOSE to 2449 Route 6 Re: Re: Commercial/Residential False Fire Alarm Warning
32. TOSE to 180 Simpson Rd. Re: Commercial/Residential False Fire Alarm Warning
33. TOSE to 72 Sunset Drive Re: Commercial/Residential False Fire Alarm Warning
34. TOSE to 50 Joe's Hill Road Re: Commercial/Residential False Fire Alarm Warning
35. TOSE to 581 Milltown Road Re: Commercial/Residential False Fire Alarm Warning
36. TOSE to 1944-Route 22 Re: Commercial/Residential False Fire Alarm Warning
37. TOSE to US Bank Trust N.A. Re: NOV-21 Old Doansburg, Payment for Lawn Care Services
38. TOSE to Kellison Holdings LLC Re: NOV/OTR-1015 Route 22
39. Willis Stephens, Town Attorney to Amy Campanero, Director of Southeast Museum Re: Old Town Hall Window Restoration

40. TOSE PB to Putnam County Division of Planning and Development Re: Application for Site Plan-Drew Realty/Site One
41. TOSE PB to Putnam County Division of Planning and Development Re: Application for Site Plan-ProSwing/Starr Ridge
42. TOSE PB to Putnam County Division of Planning and Development Re: Application for Site Plan Amendment-Watchtower Bible & Tract Society
43. TOSE PB to Putnam County Division of Planning and Development Re: Application for Site Plan Amendment-JCE Enterprises
44. TOSE PB to Architectural Review Board (ARB) Re: Watchtower Dust Collection Unit-1802 Route 22
45. TOSE PB to ARB Re: Palmer Site Plan-2334 Route 6

VOUCHERS

Supervisor Hay made a motion to approve the Vouchers in the amount of \$1,562,073.77. Councilman Alvarez 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. Councilman Alvarez seconded. All in favor.

Thursday, February 6, 2020 – Work Session / Regular Meeting

Thursday, February 20, 2020 – Work Session / Regular Meeting
- Public Hearing to Amend the Ethics Code Ch. 18-26
- Public Hearing for Stateline

RESOLUTION NO. 1 / 2020 APPOINTMENT TO PLANNING BOARD

INTRODUCED BY: Supervisor Hay

SECONDED BY: Councilman Lord

WHEREAS, there is a vacancy on the Town of Southeast Planning Board resulting from the resignation of one of its members.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Southeast hereby appoints

Lynne Eckardt

who has been duly recommended and deemed qualified to fill an unexpired term on the Southeast Planning Board to expire December 31, 2022; and be it further

RESOLVED, that this appointment shall take effect immediately upon the taking and filing of the appropriate oath of office of the aforesaid appointee with the Clerk of the Town of Southeast.

Upon Roll Call Vote:

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

VOTE: carried by a vote of 3 in favor, 2 against; 0 abstained.

RESOLUTION NO. 2 / 2020 SPECIAL DISTRICT RATES - 2020

INTRODUCED BY: Supervisor Hay

SECONDED BY: Councilman Lord

WHEREAS, the Town Board of the Town of Southeast establishes rates for its several special improvement districts, including water, sewer, refuse, park and lighting 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 of the individual districts; 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; finds that the rates set forth in such recommendation are fair and equitable; and hereby establishes the rates for each of the Town's Special Improvement Districts for the year 2020 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.

District Rate Sheet		Brewster Heights Water Plant, Total Customers 382 33.1%										Blackberry Water Plant, Customers 248 21.5%										2020																																																																																																																																																																																																																																					
Combined Water / Sewer Rates		\$ 448.00 0.01%		\$ 406.00 0.01%		\$ 444.00 0.00%		\$ 444.00 0.00%		6.5%		2.2%		3.8%		12.5%		7.8%		11.3%		4.7%		2.5%																																																																																																																																																																																																																																			
DISTRICT	SW1 BREWSTER HEIGHTS	% over prior year	SW1 EAGLES RIDGE - M	% increase over prior year	SW1 EAGLES RIDGE - UM	% over prior year	SW2 STARR RIDGE	% over prior year	SW3 FOXHILL	% over prior year	SW4 MT. BROOK	% over prior year	SW5 PEACEABLE	% over prior year	SW6 BLACKBERRY	% over prior year	SW6 BLACKBERRY CONDOS	% over prior year	SW7 HILLCREST	% over prior year	SW8 SPRINGHOUSE	% over prior year	SW9 Birch Hill	% over prior year																																																																																																																																																																																																																																			
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FLAT RATE 2020, QUARTERLY	\$ 260.00	-1.89%				\$ 164.00	0.00%	\$ 289.00	0.70%	\$ 376.00	0.50%	\$ 434.00	9.67%	\$ 87.00	2.28%					\$ 190.00	0.53%	\$ 800.00	-3.02%	\$ 295.00	0.00%																																																																																																																																																																																																																																		
FLAT RATE 2019, QUARTERLY	\$ 265.00	-1.85%				\$ 164.00	1.86%	\$ 287.00	2.50%	\$ 374.00	0.54%	\$ 435.00	163.33%	\$ 85.00	1.19%					\$ 189.00	1.07%	\$ 825.00	-2.94%	\$ 295.00	0.00%																																																																																																																																																																																																																																		
FLAT RATE 2018, QUARTERLY	\$ 270.00	0.00%				\$ 161.00	4.55%	\$ 280.00	0.00%	\$ 372.00	0.54%	\$ 430.00	0.00%	\$ 84.00	13.51%					\$ 187.00	1.08%	\$ 850.00	0.00%	\$ 295.00	0.00%																																																																																																																																																																																																																																		
FLAT RATE 2017, QUARTERLY	\$ 270.00	0.00%				\$ 154.00	14.93%	\$ 280.00	7.69%	\$ 370.00	1.37%	\$ 430.00	0.00%	\$ 74.00	6.47%					\$ 185.00	2.78%	\$ 850.00	0.00%	\$ 295.00	0.00%																																																																																																																																																																																																																																		
FLAT RATE 2016, QUARTERLY	\$ 270.00	-12.90%				\$ 134.00	3.16%	\$ 260.00	1.96%	\$ 365.00	1.50%	\$ 430.00	0.00%	\$ 69.50	3.12%					\$ 180.00	-4.99%	\$ 850.00	0.00%	\$ 295.00	0.00%																																																																																																																																																																																																																																		
FLAT RATE 2015, QUARTERLY	\$ 310.00	0.00%				\$ 129.00	3.51%	\$ 255.00	11.11%	\$ 359.00	7.34%	\$ 430.00	7.14%	\$ 67.40	7.15%					\$ 172.10	3.61%	\$ 850.00	22.40%	\$ 295.00	0.00%																																																																																																																																																																																																																																		
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Residence with Multi Units (rentals) will be charged an additional \$50.00 per unit/per quarter. Water consumption will be a separate charge.

TOTAL WATER SPECIAL DISTRICT RESIDENCES 1154

RESOLUTION NO. 3 / 20 NINTH JAM LLC - SOUTHEAST EXECUTIVE PARK PARKING RELEASE OF PERFORMANCE BOND ESTABLISHMENT OF MAINTENANCE BONDS

INTRODUCED BY: Supervisor Hay
 SECONDED BY: Councilman Alvarez

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 SOUTHEAST EXECUTIVE PARK PARKING FACILITY site development plan for premises located at Route 312 and Independent Way, Tax Map Nos. 45.-1-3; 56.1-31; 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 post construction performance bond and maintenance bonds are posted.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk is hereby directed to cancel and return the original performance bond posted by NINTH JAM LLC or its agents to secure installation of erosion and sediment control measures in connection with construction of the parking facilities and alternative access to the commercial site from Independent Way and to return any and all original bonds, deposits, letters of credit or other indicia of security posted in connection with this project on the condition that the applicant / owner (a) files a post construction performance guarantee for the maintenance of Storm Water facilities in an amount not less than \$23,300.00 for a period of four (4) years; (b) files a landscape maintenance bond in an amount not less than \$2,5000 for a period of two (2) years; and (c) deposit the sum of \$1,500 in escrow with the Town Clerk, such sum to be used to fund annual storm water system inspections and reports, in the event the property owner fails to provide same.

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

**RESOLUTION NO. 4 / 2020 APPOINTMENT OF SPECIAL PROSECUTOR
PEOPLE v. SANTUCCI**

INTRODUCED BY: Supervisor Hay
SECONDED BY: Councilman Alvarez

WHEREAS, the Town of Southeast provides local prosecutor services in connection with Penal Law and Town Code Violations alleged to have occurred within the Town of Southeast; and

WHEREAS, there is a charge pending on the complaint of Kathy Skalaski, a resident of 3 Shady Lane, against Dennis Santucci, a resident of 5 Shady Lane, for alleged violations of provisions of Chapter 60 of the Town Code; and

WHEREAS, the Town Attorney is generally authorized to prosecute penal law and Town Code violations in local Criminal Court, the Town Attorney has previously recused himself from matters involving disputes within the Shady Lane neighborhood, thereby requiring a special prosecutor to be appointed herein; and

WHEREAS, on April 11, 2019, this Town Board appointed Laura Roberts, Esq. to serve as Special Prosecutor in the matter; and

WHEREAS, on motion of the defendant, the matter was transferred to be heard in the Town of Kent Justice Court; and

WHEREAS, on January 16, 2020 by order of the Kent Justice Court, Attorney Roberts was deemed disqualified to prosecute this matter.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Southeast hereby appoints Heather Abissi, Esq., c/o The Beahive, 291 Main Street, Beacon, NY 12508, as Special Prosecutor in connection with the matter *People v. Dennis Santucci* alleging violations of Town Code Chapter 60 (Dogs) and authorizes such Special Prosecutor to file her Notice of Appearance and to fully investigate such alleged violation; and to commence, recommence or continue such criminal and civil proceedings as might be necessary to secure the full, fair and equal enforcement of the laws in connection therewith; and be it further

RESOLVED, that said Special Town Counsel / Prosecutor shall be compensated at the rate of \$150.00 per hour for attorney time, and shall be reimbursed for all necessary disbursements made on behalf of the Town.

ON 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.

MOTION TO AWARD LANDSCAPING CONTRACT

Supervisor Hay made a motion to award the 3-year Landscaping Contract to Le Teja Contractors and Landscaping. Councilman Alvarez seconded. All in favor.

MOTION TO AWARD WINDOW RESTORATION PROJECT

Supervisor Hay made a motion to award the Window Restoration Project at 67 Main St to Newburg Sash & Restoration. Councilman Alvarez seconded. All in favor.

PUBLIC COMMENT

BCSD Board Member Scott Seaman wished everyone on the Town Board a Happy New Year and thanked them for open communication between the Town and the School District. He stated that they will be having a meeting next month and would also like to give a presentation of the School budget at a Town Board meeting.

Councilman Larca also stated that he is working with Dr. Bandlow and Dr. Gosh and the Brewster School children with the water testing at Tonetta Lake.

Councilman Lord stated that the Garden Street School has been sold and the closing will be within the month.

Paul Morini asked the Town Board if they could look at paving Maple road again. He stated that he had to call 911 to his home and they had to go 15 miles an hour because of the condition of the road. It's not feasible for safety reasons.

Highway Superintendent Burdick stated that he's had a busy 23 day start to the job and while working to maintain the road, he has also reached out to the DEC as to what can be done. He knows this has been ongoing for many years. He stated that he is putting together a proposal to the DEC for paving from the Carmel line to Enoch Crosby.

TOWN BOARD COMMENT

Councilman Lord asked the Supervisor if the 10 acres the Town owns, known as Sunset Ridge, is open to the public and the Supervisor stated not at this time. There is work that needs to be done for that to happen.

Supervisor Hay stated that the bids went out for Solar Panels and we received one bid back.

Councilman O'Connor stated that he and the Highway Superintendent attended the NYS Association of Towns Training and he was glad they were able to attend.

Councilman Alvarez made a motion to close the meeting and Councilman O'Connor seconded. All in favor.

Respectfully Submitted,

Michele Stancati
Southeast Town Clerk