

TOWN OF SOUTHEAST
1360 Route 22, Brewster, New York 10509
Thursday, February, 6, 2020
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: 20 Persons

WORK SESSION

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

Discussion – Pugsley Rd Sports Complex

Richard O'Rourke of Keane and Beane, explained that the Town will consider a proposal to transfer a piece of open space on Pugsley Rd. for a larger piece on Starr Ridge Rd, that would possibly be used for recreation. Kathleen Gallagher from Insite Engineering showed a map of the two pieces of property. There were some questions raised about if the Starr Ridge property meets the open space criteria and how fast this is happening without the public's input. Supervisor Hay stated that this is the same process for everything the Town Board considers; a work session, then in this case a public hearing, and then the item is brought forth at the next meeting for a vote. It must be approved by the Town Board, the NYS Legislature and then if approved the Planning Board process begins. There is a public hearing scheduled for Thursday, February 13, 2020, in which the public will give their opinions on the matter.

Discussion – 577 North Main St Special Permit Kennel

There was no one to speak to the issue, so it will be put on a future agenda.

Discussion – Proposed Amendment Chapter 103, Section 103-8 Permit Fees

Supervisor Hay explained that the reason for this amendment is to adjust the dates on the Vendor application to run for one year from the date of permit or for six months running from the date of permit issuance. The fees will remain the same. There will be a public hearing on the subject.

Discussion – Proposed Amendment Chapter 138, Section 138-4B Definitions Section 138-54.2 Shooting Ranges

Supervisor Hay explained that this amendment would add Shooting ranges to the recreation code, excluding residential areas. There will be a public hearing on the subject.

Discussion – Proposed Amendment Chapters 123, 138, and A143, Section 123-3 Policy, Section 123-6 Definitions, ect.

Supervisor Hay explained that the amendment to the above chapters would include curb ramps, to make accessibility up curbs easier. There will be a public hearing on the subject.

REGULAR MEETING

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

RESOLUTION NO. 5 / 2020 LIFE STORAGE, INC. 1639 ROUTE 22 ARCHITECTURAL REVIEW BOARD

INTRODUCED BY: Supervisor Hay
SECONDED BY: Councilman Alvarez

WHEREAS, the Town Board is in receipt of a Report of the Architectural Review Board (“ARB”) of the Town Southeast dated January 29, 2020 in connection with the application of LIFE STORAGE, INC., which seeks amended site plan approval for an existing commercial storage facility located 1639 Route 22, Tax Map ID 46.-3-13, including construction of a three (3) story 18,144 square foot climate controlled commercial storage building, associated pavement repair, elimination of certain outdoor storage and wetland buffer restoration; and

WHEREAS, the Report concludes that the ARB positively recommends the project to the Town Board on certain conditions; and

WHEREAS, the Town Board finds that there is no reason to upset the findings and recommendation of the Architectural Review Board in connection with the instant application,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby accepts and approves the Report of the Architectural Review Board dated January 29, 2020 in connection with the application of LIFE STORAGE, INC., which seeks amended site plan approval for an existing commercial storage facility located 1639 Route 22, Tax Map ID 46.-3-13; including construction of a three (3) story 18,144 square foot climate controlled commercial storage building, associated pavement repair, elimination of certain outdoor storage and wetland buffer restoration (a copy of the ARB Review and Report is annexed hereto and made part hereof) and that such Report shall be incorporated in any final Site Plan subsequently reviewed and approved for this project by the Planning Board.

UPON 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.

RESOLUTION NO. 6 / 2020 AUTHORIZE EXPENDITURE TO PURCHASE HIGHWAY EQUIPMENT

INTRODUCED BY: Supervisor Hay
SECONDED BY: Councilman Alvarez

WHEREAS, the Town Board is in receipt of a request from the Highway Superintendent dated January 21, 2020 seeking approval to expend funds for the purchase of certain highway equipment; and

WHEREAS, it is found and determined that there are sufficient funds available and allocated for the proposed purchases within the 2020 Highway Department Budget and such purchase will not require issuance of bonds or notes for the purchase thereof.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Highway Superintendent is authorized to expend an amount not to exceed;

- a. Forty Seven Thousand Six Hundred Dollars (\$47,600.00) for the purchase of a pavement (blacktop) roller.

- b. One Hundred Eight Thousand Seven Hundred Dollars (\$108,700.00) for purchase of a hydraulic excavator.

c. One Hundred Eighty Thousand Dollars (\$180,000.00) for purchase of two (2) Federal Surplus Plow Trucks.

And be it further

RESOLVED, that if the Southeast Superintendent of Highways requires any addition funds above the amount allotted, he will need further authorization by the Town Board to make such expenditure; and be it further

RESOLVED, that this resolution shall take effect immediately.

Upon 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.

RESOLUTION NO. 7 / 2020 RESOLUTION ADOPTING LOCAL LAW 138-44 (B)(3) NOTIFICATION

INTRODUCED BY: Supervisor Hay
SECONDED BY: Councilman Alvarez

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 138 (“Zoning”); Section 138-44(B)(3) (“Notification”) of the Code to establish the manner in which Notice of certain land use and variance applications may be given when the subject of the application is located within a cooperative housing corporation; 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 December 19, 2019 and all interested persons were given an opportunity to be heard at that time; and

WHEREAS, the Town Board is in receipt of a report and recommendation from the Planning Board regarding the proposed action; and

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

NOW, THEREFORE, BE IT

RESOLVED, the Town Board of the Town of Southeast hereby adopts Local Law No. 1 of 2020 pursuant to the Municipal Home Rule Law to amend Chapter 138 of the Town Code (“Zoning”), Section 138-44(B)(3) (“Notification”) to establish the manner in which Notice of certain land use and variance applications may be given when the subject of the application is located within a cooperative housing corporation; 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 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.

**RESOLUTION NO. 8 / 2020 SETTLEMENT OF CERTIORARI PROCEEDINGS
CENTENNIAL GOLF CLUB**

INTRODUCED BY: Supervisor Hay

SECONDED BY: Councilman Alvarez

WHEREAS, proceedings have been commenced in NYS Supreme Court challenging the assessed valuation of premises owned by Centennial Golf Club, located on John Simpson Road and known generally as Tax Map No. 44.-1-1 for the 2017, 2018 and 2019 assessment years; 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>
Centennial Golf Club	44.-1-1	2017	\$3,202,800	\$2,377,500
	44.-1-1	2018	\$3,202,800	\$2,282,400
	44.-1-1	2019	\$3,202,800	\$2,187,300

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 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.

RESOLUTION NO. 9 / 2020 BOARD OF ASSESSMENT REVIEW APPOINTMENT OF LISA LaGUARDIA-TREMBLAY TO FILL UNEXPIRED TERM

INTRODUCED BY: Supervisor Hay
 SECONDED BY: Councilman Alvarez

WHEREAS, a vacancy has occurred on the Board of Assessment Review (“BAR”) due to the resignation of Barbara Beshears whose term is due to expire on September 30, 2022.

WHEREAS, the Town Board is in receipt of a recommendation regarding the appointment of Lisa LaGuardia-Tremblay to fill the vacant position.

NOW, THEREFORE, BE IT

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

LISA LaGUARDIA-TREMBLAY

to serve an unexpired term on the Southeast Board of Assessment Review to expire on September 30, 2020; and be it further

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

UPON 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.

RESOLUTION NO. 10 / 2020 ARCHITECTURE REVIEW BOARD APPOINTMENT TO FILL VACANCY

INTRODUCED BY: Supervisor Hay
SECONDED BY: Councilman Alvarez

WHEREAS, there is a vacancy on the Town of Southeast Architecture Review Board (“ARB”) resulting from the resignation of a sitting member whose term expires on December 31, 2021.

NOW, THEREFORE, BE IT

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

CARLA LUCCHINO

to fill the unexpired term on the Southeast Architectural Review Board created by the resignation of John Goudey;

And be it further

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

UPON 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.

MOTION TO APPOINT ARB CHAIRWOMAN

Supervisor Hay made a motion to appoint Mary Larkin Chairwoman of the Architectural Review Board. Councilman Alvarez seconded. All in favor.

MOTION TO AUTHORIZE SALE OF HIGHWAY EQUIPMENT

Supervisor Hay made a motion to authorize the sale of Highway Department surplus equipment. Councilman Alvarez seconded. All in favor.

MOTION TO SET PUBLIC HEARING FOR PARKLAND ALIENATION

Supervisor Hay made a motion to set a Public Hearing for Parkland Alienation for Thursday, February 12, 2020 to be held at 1360 Route 22, Brewster, New York, at 7:00 PM unless otherwise noted. Councilman Alvarez seconded. All in favor.

MOTION TO SET PUBLIC HEARING FOR SECTION 103-8 PERMIT FEES

Supervisor Hay made a motion to set a Public Hearing for Section 103-8, Permit Fees, for Thursday, February 12, 2020 to be held at 1360 Route 22, Brewster, New York, at 7:00 PM unless otherwise noted. Councilman Alvarez seconded. All in favor.

MOTION TO WAIVE THE RULES AND ADD AN ITEM TO THE AGENDA

Supervisor Hay made a motion to waive the rules to add an item to the agenda. Councilman Lord seconded. All in favor.

Supervisor Hay made a motion to send a letter to the NYSDOT in reference to a no left turn sign onto NY-312 from the original CareMount driveway exit. Councilman Lord seconded. All in favor.

PUBLIC COMMENT

A question was raised about putting a light on Independent Way and the Supervisor explained that we couldn't because of state regulations.

Town resident Matthew DeRose, had a complaint about a Town drain pipe that is old and causing water on his property. Supervisor Hay asked him to please put everything in writing and send the pictures. He will refer it to the Town Attorney and they will get back to him.

TOWN BOARD COMMENT

Supervisor Hay announced the passing of former Supervisor Lois Zutell and sent condolences to her family. He read a proclamation in her honor.

Proclamation

WHEREAS, it is the sense of this Town Board, that the quality of our Community is measured by the unique and extraordinary accomplishments of the citizens who reside within its borders; and

WHEREAS, Lois C. Zutell distinguished herself as an outstanding citizen and member of our Community by continually dedicating her efforts throughout the Town of Southeast; and

WHEREAS, Lois C. Zutell was the first and, to date, the only female Supervisor of the Town of Southeast, serving from 1996–2003. Prior to her Supervisory position, she served on the Town Council for ten years as well as on the Planning Board, Southeast Recreation Commission and Putnam County Land Trust; and

WHEREAS, Lois C. Zutell was the deserving recipient of numerous Community Service Awards from the Putnam County Sheriff's Honor Corps, Brewster Chamber of Commerce, Village of Brewster's Medal of Honor, Putnam County Supervisors' Association, Kiwanis, Brewster Elks Lodge and the VFW's Americanism Award, among others.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Southeast recognizes and commends **Lois C. Zutell's** dedication, volunteerism and service to this Community, all the while fulfilling her responsibility to her loving daughters and their families; this exemplified her deep sense of commitment and perseverance in life for her family and Community; and be it further

RESOLVED, that a copy of this Certificate shall be presented to
The Beloved Zutell Family Daughters
Kathryn Anne, Carolyn Audrey and Laura Jean

TONY HAY
SUPERVISOR

EDWIN ALVAREZ
JOHN LORD

ERIC LARCA
JOHN O'CONNOR

SOUTHEAST TOWN BOARD

Supervisor Hay made a motion to close the meeting and Councilman Lord seconded. All in favor.

Respectfully Submitted

Michele Stancati, Southeast Town Clerk