

TOWN OF SOUTHEAST
1360 Route 22, Brewster, New York 10509
Thursday, February 18, 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

Discussion – Judy Marano – CAC

Judy Marano, president of the Cultural Arts Coalition and Studio Around the Corner, gave a presentation and update on both. She stated that these venues celebrate the community with transformative and inspiring art experiences such as Studio Around the Corner, Art Exhibits, Theater Around the Corner, Concerts Around the Corner, Garden Around the Corner, Brewster Music Festival, Brewster Fall Festival, and the restoration of Southeast Old Town Hall. They have raised over \$500,000.00 through donations, grants and other state assistance. Ms. Marano stated that COVID has restricted their activities and ability to fundraise through performances. She also stated that they would like to have a liaison with the Town and provide monthly updates, secure an easement, revisit utility costs, and help with future grant writing. The Board thanked everyone involved for the presentation and they will go over the list and see how to move forward in the future.

Discussion – Webpage Notification Links

Councilman O'Connor updated the Board with where we stand on the Town of Southeast Social Media pages. He stated he is still working with our IT guy to set up Facebook and twitter. It will automatically push out the information from our website to social media. It will be just informational, no comments.

Discussion – Town Park Passes

Supervisor Hay stated that in late Spring, Tonetta Lake Park will be revamped and a new park will be installed. Mr. Harold Lepler is responsible for putting in the new equipment in the park and he's been very beneficial. There will now be four parking areas, with 3 needing Town permits. The last, area 4, is available to anyone to park. This is mainly due to the new MTA bike trail going through the property.

REGULAR MEETING

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

CORRESPONDENCE

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

Correspondence Received

1. Acord Insurance to TOSE Re: National Sign Corporation
2. Acord Insurance to TOSE Re: Clearheart Construction Company Inc.
3. PC DOH to TOSE Re: 2020 Permit to Operate a Community Water Supply-Brewster Heights
4. PC DOH to TOSE Re: 2020 Permit to Operate a Community Water Supply-Starr Ridge Manor
5. PC DOH to TOSE Re: 2020 Permit to Operate a Community Water Supply-Fox Hill Estates
6. PC DOH to TOSE Re: 2020 Permit to Operate a Community Water Supply-Mountain Brook Homes
7. PC DOH to TOSE Re: 2020 Permit to Operate a Community Water Supply-Peaceable Hill
8. PC DOH to TOSE Re: 2020 Permit to Operate a Community Water Supply-Blackberry Hill
9. PC DOH to TOSE Re: 2020 Permit to Operate a Community Water Supply-Hillcrest
10. PC DOH to TOSE Re: 2020 Permit to Operate a Community Water Supply-Springhouse Estates
11. PC DOH to TOSE Re: 2020 Permit to Operate a Community Water Supply-Birch Hill Acres
12. Comcast to TOSE Re: Comcast Programming Contract Renewal Website
13. Office of the State Comptroller to TOSE Re: Justice Court Fund-January 2021
14. Brown & Brown to TOSE Re: Commercial Auto Policy
15. Supervisor Hay to Toni Addonizio, PC Legislator Re: Request for TOSE Bldg. Dept. to Accompany PC Agricultural Board on Property Seeking Inclusion to PC Agricultural District from TOSE
16. Hogan & Rossi Attorneys at Law to NYS DOT cc: TOSE Re: Excessive Salt Deposits at Entrance 1 to Pietsch Gardens Cooperative
17. Acord Insurance to TOSE Re: Brewster Carmel Garden Club
18. Snyder & Snyder Law to Thomas LaPerch, PB & TB Re: Comments to Commercial Campus at Fields Corner Proposed by Hunter's Glen Master Association
19. VOB to Supervisor Hay Re: Public Hearing-VOB Eminent Domain
20. Acord Insurance to TOSE Re: Michels Power Inc.
21. Acord Insurance to TOSE Re: Mullally Bros. Inc.
22. William Carlin, PC Dept. of Finance to Supervisor Hay Re: TOSE Erroneous Assessments

23. Carl Albano, PC Legislature to Supervisor Hay Re: TOSE Request to have Members of Building Dept. Attend Agriculture Board Members on Their Property Visits
24. Stephen Coleman to Tom LaPerch & PB Re: Final Site Plan Review and Recommendations- Commercial Campus at Fields Corners
25. Comcast to TOSE Re: Programming Advisory
26. PC Dept. of Finance to Supervisor Hay Re; Extension of Real Property Taxes
27. East of Hudson Watershed Corporation to Senators Mayer & Harckham, Assemblymembers Burdick, Galef & Byrne Re: Request for Funding
28. NYS DEC to TC Re: Proof of Publication/Environmental Permit-62 Stallion Trail
29. NYS Dept. of Taxation & Finance Office of Real Property Tax Services to Supervisor Hay Re: Tentative Special Franchise Full Value
30. PC Board of Elections to Supervisor Hay Re: Request of Courtroom Use for Primary & General Elections

FOILS

- Mark Wagner to Bldg. Dept. Re: Permits-194 Starr Ridge Road
- Mark Wagner to Bldg. Dept. Re: Sheds & Inspections-194 Starr Ridge Road
- Joan Mancini To Bldg. Dept. Re: All Building Records-7 Indian Hill Road
- Luis Morgado to Bldg. Dept. Re: Zoning-2384, 2390 & 2392 Route 6
- Jackie Calhoun to Bldg. Dept. Re: All Building Records-19 Foster Road
- Sharon Sheil to Bldg. Dept. Re: All Building Records-12 Friendship Lane
- Lauren Camerino to Bldg. Dept. Re: All Building Records-504 Village Drive
- Andrew Tabak to Bldg. Dept. Re: Permits for Above Ground Oil Tank-23 North Road
- Stephen Herman to Bldg. Dept. Re: Permits & C of O's-48 Shore Drive
- Jackie Calhoun to Bldg. Dept. Re: All Building Records-46 Meridian Drive
- Doug Sharlow to Bldg. Dept. Re: Building Permit for Warehouse/Office Building-1920 Old Rt. 22
- Luis Diaz to Bldg. Dept. Re: All Building Records-2390, 2392 & 2384 Route 6
- String Tax Certs. To Accounting Dept. Re: Water Sewer Billing-104 Greatlawn Court
- Gerald Weil to Bldg. Dept. Re: All Building Records-57 Route 6
- Tamara Labarbera to Bldg. Dept. Re: Information on Oil Tank Removal-39 Old Doansburg Rd.
- Erik Toto to Bldg. Dept. Re: Open Permits-
- Michael Tarallo to Bldg. Dept. Re: All Building Records-906 Eagles Ridge
- Beth Andreo to Bldg. Dept. Re: All Building Records-203 Autumn Lane
- L. Danielle Cylich to Bldg. Dept. Re: NOV for Land Disturbance-42 Griffen Road
- Robert Sedafino to Bldg. Dept. Re: Septic Plans-7 Lakeside Road
- Vikki Salese to Bldg. Dept. Re: All Building Records-906 Eagles Ridge Road
- Magdalena Pawlowska to Bldg. Dept. Re: All Building Records-20 Chamberlin Lane
- Beth Andreo to Bldg. Dept. Re: Septic Plan- 59 Indian Wells Rd.
- SmartProcure to TC Re: All Purchase Order/Vendor Information
- Bonnie Nalbandian to Bldg. Dept. Re: Permits for Natural Gas Stove/Fireplace-706 Ashford Circle

- Brewster Ford to Bldg. Dept., Assessor & Tax Receiver Re: Assessment, Yearly Taxes Paid, Total Sq. Footage & Lot Size
- Lauren Camerino to Bldg. Dept. Re: All Building Records-39 Acorn Road
- Karyne Aabel to Bldg. Dept. Re: All Building Records-15 Nelson Blvd.
- Pauline Angrisani to Bldg. Dept. Re; All Building Records-137 Overlook Drive
- Joanne Finochio to Bldg. Dept. Re: Location of Well & Septic-73 Friendly Road
- Kim Gershung to Bldg. Dept. Re: All Building Records-2 Elmhurst Ave.
- Kevin Cullen To Bldg. Dept. Re: C of O & Permits for Finished Basement-3903 Buttonwood Lane
- Margaret Cowan to Bldg. Dept. Re: Permits & Violations-46 Meridian Drive
- Christina Duarte to Bldg. Dept. Re: Building Plans-21 Bloomer Road
- Peter Levy to Bldg. Dept. Re: All Building Records-48 Shore Drive
- Lauren Camerino to Bldg. Dept. Re: All Building Records-10 Windswept Circle
- Ed Scelia to Bldg. Dept. Re: All Building Records-404 Eagles Ridge Road
- Janis Farese, NewYork Open the Books to TC and Accounting Re: All Vendor Payee for 2020
- Michael Kleemann to Assessor Re: Property Card-1106 Somerset Knoll
- Pam Brokate to Bldg. Dept. Re: All Building Records-305 Guinea Road
- Nicole Nobile to Bldg. Dept. Re: All Building Records-73 Friendly Road
- Dan Galgano to Bldg. Dept. Re: All Building Records-114 Harvest Drive
- Sara Manes to Bldg. Dept. Re: All Building Records-161 Maple Road
- Joanne Finochio to Bldg. Dept. Re; All Building Records-73 Friendly Road
- Andrew Kallmeyer to Bldg. Dept. Re: All Building Records-14 Windswept Circle
- Kate White to Bldg. Dept. Re: All Building Records-48 Cooledge Drive
- Paul Hardy to Bldg. Dept. Re: Building & Zoning Code Compliance-3101 Stonecrest Drive
- Kate White to Bldg. Dept. Re: All Building Records-260 Doansburg Road
- Kevin Joyce to Bldg. Dept. Re: All Building Records-5 Crosby Lane

Email

1. Supervisor Warren Lucas, Town of North Salem to Supervisor Hay Re: 46 Seven Oaks Lane
2. Supervisor Hay to TB & Supervisor Lucas, Town of North Salem Re: Cobb Road Culvert
3. Supervisor Hay to A. Olenius Re: Eligibility Lists
4. Supervisor Hay to M. Levine, & J. Marano Re: Theater Use in the Fall
5. Supervisor Hay to Mayor Schoenig Re: Restoration of Power to Wells Park Buildings
6. M. Levine to Tom Fenton & Resident Re: Tree Clearing
7. Supervisor Hay to M. Levine & TB Re: Encampment
8. Supervisor Hay to Resident of Pietsch Garden Coop, Supervisor Lucas Town of North Salem & TB Re: Flooding
9. Supervisor Hay to Supervisor Lucas, Town of North Salem, Tom Fenton & TB Re: Plan & Permit for Peach Lake Wastewater Outflow Pipe
10. NYS DEC to Supervisor Hay Re: NYS DEC Cottontail Rabbit Study
11. David Kenny, Esq. Snyder Law to Planning Board & Ashley Ley Re: Comments on Commercial Campus at Fields Corner by Hunters Glenn-Noise Concerns
12. NYS Division of Building Standards and Codes to TOSE Re: Annual Report of Code Enforcement Activities for TOSE

13. Wright Insurance to TOSE Re: M. Fernando v. TOSE
14. PC Chief of Staff to TOSE Re: NYS on Pause Complaint-Brewster Ice Arena
15. TC to Bldg. Dept. Re: NOV-Septic Violation
16. Brown & Brown to TOSE Re: Employment Issues Surrounding COVID-19 with NYMIR
17. Supervisor Hay to TB Re: Encampment by Bike Trail
18. Ashley Ley to PB & TB Re: Revised Route 22 Master Plan
19. Supervisor Hay to TB & M. Levine Re: Use of Theatre at Old Town Hall
20. Olenna Truskett to Supervisor Hay, TB, M. Levine & L. Bedrosian Re: Grant-Restoration of Old Town Hall
21. Resident to Supervisor Hay Re: Comcast Internet Data Charges
22. TC to NY DMV Re: Annual Issuing Report-Disabled Parking Permits
23. Inquiry to TC Re: Certified Marriage Record Request
24. NYS Climate Action Council to TOSE Re: NYS Climate Action Council Advisory Panel-Public Meeting 2-8-2021
25. Hudson Valley Regional Council to TOSE Re: NYSERDA Clean Energy Communities Leadership Round
26. Jamie LoGiudice to Supervisor Hay & TC Re: Drew Realty/SiteOne
27. Resident to Supervisor Hay & Highway Superintendent Burdick Re: Damaged Mailbox
28. Supervisor Hay to Tom Fenton, Ron Hund & TC Re: NYS DOT-Payment/International Blvd.
29. NYS DEC to TOSE Re: Cottontail Rabbit Survey
30. Suburban Carting to Supervisor Hay & TC Re: Unable to Service Various Roads Due to Storm
31. Supervisor Hay to A. DeMarco Re: Payment due to NYS DOT
32. Inquiry to TC Re: Craft Fair-Italian American Club
33. Supervisor Hay to TB Re: Planning Board-Applicant
34. Willis Stephens, TA to Montanaro Law Re: Appearance

Correspondence Sent

1. TOSE to Property Owner Re: NOV/OTR-45 Sunset Drive
2. TOSE to Property Owner Re: NOV/OTR-145-147 North Brewster Road
3. TOSE to Property Owner Re: NOV/OTR-33 Oakwood Drive
4. TOSE to Property Owner Re: NOV/OTR-37 Elmwood Drive
5. TOSE to Property Owner Re: NOV/OTR-42 Griffen Road
6. TOSE to Property Owner Re: NOV/OTR-1525 Route 22
7. Supervisor Hay to Toni Addonizio, PC Legislator Re: Request for TOSE Bldg. Dept. to Accompany PC Agricultural Board on Property Seeking Inclusion to PC Agricultural District from TOSE
8. Supervisor Hay to CSEA Re: TOSE Emergency Plan
9. TOSE to Property Owner Re: NOV/OTR-53 Friendly Road
10. ZBA to PC Division of Planning & Development Barbara Barosa Re: Valero Signage
11. TOSE to Property Owner Re: NOV/OTR-1535 Route 22
12. TOSE to Property Owner Re: NOV/OTR-9 Carriage Hill Road
13. TOSE to Property Owner Re: NOV/OTR-560 Brewster Hill Road
14. Supervisor Hay to Barbara Barosa, PC Planning & Development Re: Route 22 Master Plan

VOUCHERS

Supervisor Hay made a motion to approve the Vouchers in the amount of \$3,202,790.88. Councilman Alvarez seconded. All in favor.

BUDGET TRANSFERS

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

MEETINGS

Supervisor Hay made a motion to set the following meeting dates to be held by Zoom at 7:00 P.M. unless otherwise noted. Councilman Alvarez seconded. All in favor.

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

Thursday, March 18, 2021 – Work Session / Regular Meeting
- Public Hearing

RESOLUTION NO. 7 / 2021 AUTHORIZATION TO ENTER INTO MEMORANDUM OF UNDERSTANDING WITH PUTNAM COUNTY – INTERSECTION OF FARRINGTON ROAD & ROUTE 6

INTRODUCED BY: Supervisor Hay
SECONDED BY: Councilman Larca

WHEREAS, the Town of Southeast (“TOWN”), owns certain roads and rights of way in the general vicinity of the intersection of a Town-owned road known as Farrington Road and a State Highway known as U.S. Route 6 a/k/a Danbury Road; and

WHEREAS, Putnam County (“COUNTY”) is or will be the recipient of certain grant funds to be used for intersection improvements on local roads; and

WHEREAS, recent Planning Board approvals have been issued for commercial development along Danbury Road; and

WHEREAS, such Planning Board approvals incorporate the need for intersection improvements in the area where Farrington Road intersects with Danbury Road; and

WHEREAS, the anticipated improvements will be undertaken by the COUNTY and its agents, provided that the TOWN relinquishes site control to the COUNTY during the construction phase of the improvements, at no cost to the TOWN; and

WHEREAS, the COUNTY has requested the TOWN to enter into a “Memorandum of Understanding” (“MOU”) detailing the respective rights and responsibilities of the two municipalities with respect to the proposed project in form and substance attached hereto as Exhibit A.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Southeast hereby authorizes the Supervisor to execute a MOU with the COUNTY in the form annexed hereto as Exhibit A.

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.

“EXHIBIT A”

MEMORANDUM OF UNDERSTANDING
BY AND BETWEEN
COUNTY OF PUTNAM
AND
TOWN OF SOUTHEAST

THIS MEMORANDUM OF UNDERSTANDING, dated as of February 19, 2021, by and between the COUNTY OF PUTNAM, a municipal corporation of the State of New York, with its principal offices located at 40 Gleneida Avenue, Carmel, New York 10512 (hereinafter the “County”) and the TOWN OF SOUTHEAST, a municipal corporation located at 1360 Route 22, Brewster, New York 10509 (hereinafter the “Town”).

WITNESSETH:

WHEREAS, the County has applied for a State and Municipal Facilities Program (“SAM”) grant in the amount of \$1,085,000 for certain work substantially described in/submitted with its Preliminary Application and the parties to this Memorandum acknowledge that the SAM grant funds may be used only for certain purposes as set forth in the SAM enabling legislation; and

WHEREAS, the SAM grant funds will be used solely for the purpose of Highway Infrastructure Improvements (the “Project work”) as described in the attached scope of work and plans; and

WHEREAS, County, as part of the SAM grant application process, must certify to the Dormitory Authority of the State of New York municipal site control over the roadways that will be affected by the Project work; and

WHEREAS, the County has designated the following properties for Highway Infrastructure Improvements: U.S. Route 6 at Starr Ridge/I-684 NB Ramps, U.S. Route 6 at I-684 SB Ramps/Route 22 and U.S. Route 6 at Farrington Road (the "Project Sites");

WHEREAS, the Town owns property within the Project Sites not limited to Farrington Road, as delineated in the attached scope of work and plans (hereinafter referred to as "Town Site").

NOW, THEREFORE, in consideration of the terms and conditions herein contained, the Parties agree as follows:

The Parties hereto agree that the County has the right to perform the Project work on the Town Site identified herein, such roadway and other property owned by the Town of Southeast as delineated and described in the attached plans.

The Project to be constructed, built, reconstructed and/or operated and located on the Town Site which will result in the realignment of Farrington Road as it intersects at a point with U.S. Route 6, is permitted by, does not and will not conflict with, or result in a breach of any of the terms or provisions of, or constitute a default under any deed restriction, encumbrance, restrictive covenant, agreement, easement and/or other lien. The Project work shall comply in all respects with all applicable governmental laws, rules, regulations and ordinances, including, but not limited to, all applicable Environmental Laws, NYS Transportation Laws and Regulations and Southeast Town Highway specifications. The County shall be responsible for obtaining and keeping in full force and effect all permits from the New York State Department of Transportation necessary to allow the performance of the Project work at the Town Site, located at the highway known as Farrington Road with U.S. Route 6.

The term of this Memorandum of Understanding shall be for the period from the date of the commencement of the Project work by the County through the earlier of June 30, 2021 or completion of the Project work at the Project Site ("Period of Site Control").

Only during the Period of Site Control defined herein, the Town hereby relinquishes "site control" to the County of so much of the Project Sites as is located upon the Town Site or within the right of way of the Town Road known as Farrington Road.

The Parties hereto understand and agree the County is not the owner of nor will be responsible for the Town Site's care and maintenance, liability and responsibility therefor and same shall remain at all times with the Town. Notwithstanding the foregoing, during the Period of Site Control, the County, as administrator of the SAM grant, shall be responsible for all costs and expenses related to the Project work. To the extent such costs and expenses exceed the amount of the SAM grant funds ("Cost Overruns"), the County reserves the right to pursue other funding sources to cover said Cost Overruns. If the County is unable to secure funding for said Cost Overruns, prior to entering into any agreements with contractors and/or subcontractors, County will not move forward with the Project work and this Memorandum of Understanding shall terminate.

The Town further warrants and represents that:

There are no actions pending or threatened which may affect title to the Town Site or which may affect the County's ability to complete the Project work or which may affect the SAM grant or may otherwise affect the Project work; and

There are no judgments filed against the Town or any liens filed against the Town Site or any portion thereto; and

There are no facts or circumstances which could affect title to the Town Site that have not been set forth herein; and

The Town has full title to the Town Site and has the legal right to enter into this Memorandum of Understanding.

The Parties understand and agree to comply with all deed restrictions, restrictive covenants, encumbrances, easements and other liens and all applicable laws, rules, regulations and ordinances concerning the Project work and Project Sites.

The Parties agree there is no landlord-tenant relationship created hereunder and thus §5-321 of the General Obligations Law does not apply hereto.

During the Period of Site Control, the County agrees to indemnify and save harmless the Town from any claim or loss, including legal fees, and/or from any claim or loss by reason of any accident or damage to any person or property being on said Project Sites, except if such accident or damage is a result or by reason of the gross negligence by Town, its employees, agents, licensees or invitees. Upon completion of the Project work and termination of the County's aforesaid Site Control to the Town Site, the Town shall indemnify and save harmless the County from any claim or loss including legal fees, and/or from any claim or loss by reason of any accident or damage to any person or property being on said Town Site, except if such accident or damage is a result or by reason of the gross negligence by the County, its employees, agents or invitees.

During the Period of Site Control, the County shall maintain sufficient insurance covering the Town Site and require all contractors, subcontractors, or others performing work labor and services on the Town Site to maintain insurance coverage for bodily injury in limits of not less than \$1,000,000 per person and \$3,000,000 per occurrence. All contractors and subcontractors shall at all times maintain Workers' Compensation Insurance in statutorily acceptable limits. The Town of Southeast shall be listed as a Certificate Holder / Additional Insurer in connection with the Project work.

Upon completion of the Project work, the Town Site shall be inspected by the Town Engineer and Superintendent of Highways to determine that the Project work at the Town Site has been completed in accordance with all approved plans and permits.

Upon the completion of the Project work and termination of the County's aforesaid Site Control to the Town Site, the County shall provide to the Town duly executed and notarized Releases from all contractors or subcontractors performing work labor and / or services in connection with the Project work evidencing payment for the Project on the Town Site in connection with the Project work to the extent of the SAM grant funds allocated for such Project work.

Notwithstanding anything contained herein to the contrary, the County and its contractors and subcontractors shall not perform any work on the Town Site that will result in any landowner

abutting Farrington Road, its tenants or occupants from reasonable and continuous access to Farrington Road and U.S. Route 6 during the Period of Site Control.

Any notice or demand, consent, approval, or disapproval (each a "Notice") which, under the terms of this Memorandum of Understanding, or under any statute or governmental regulation, must or may be given or made either by the Town to the County or by the County to the Town shall be in writing and, unless otherwise required by law or regulation, shall be either (a) personally delivered, (b) sent by overnight courier or (c) sent by registered or certified mail return receipt requested to the following address:

To the Town: Town of Southeast
 1360 Route 22
 Brewster, New York 10509
 Attention: Hon. Tony Hay, Supervisor

To the County: County Attorney
 48 Gleneida Avenue
 Carmel, New York 10512

The foregoing is the Parties' understanding herewith and is hereby acknowledged and consented to thereby.

COUNTY OF PUTNAM

TOWN OF SOUTHEAST

By: _____
 MaryEllen Odell
 County Executive

By: _____
 Tony Hay
 Town Supervisor

RESOLUTION NO. 8 / 2021 DREW REALTY / SITE ONE PERFORMANCE BOND ESTABLISHMENT

INTRODUCED BY: Supervisor Hay
SECONDED BY: Councilman Lord

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 Performance Security to be posted by DREW REALTY in connection with a site plan application relative to property located at 120 & 160 Fields Lane, Southeast Tax Map Nos.78.-2-4 and 78.-2-5 (the "Subject Premises") a/k/a "Site One" (the "Project"); and

WHEREAS, by letter dated February 8, 2021 from the Town Planning Board it is recommended that the performance security for the Subject Premises be established for this project.

NOW, THEREFORE, BE IT

RESOLVED, that the bond amount shall be established for the Project set forth below:

<u>PROJECT NAME:</u>	<u>BOND AMOUNT:</u>	
DREW REALTY – SITE ONE	Site Improvements	\$1,796,000.00
	Erosion & Sediment	\$71,840.00

And be it further

RESOLVED, that a certified copy of this resolution shall be transmitted by the Town Clerk to the Planning Board Secretary and Building Inspector forthwith.

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. 9 / 21 BREWSTER HONDA SERVICE CENTER RELEASE OF PERFORMANCE BOND ESTABLISHMENT OF MAINTENANCE BOND

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 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 file 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 one (1) year.

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. 10 / 2021 GAS LAND SOUTHEAST PERFORMANCE BOND ESTABLISHMENT

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 Performance Security to be posted by GAS LAND SOUTHEAST in connection with a site plan application (the "Project") relative to property located at 3411 Danbury Road (Route 6), Southeast Tax Map Nos. 68.-2-69 (the "Subject Premises"); and

WHEREAS, by letter dated February 8, 2021 from the Town Planning Board it is recommended that the performance security for the Subject Premises be established for this project.

NOW, THEREFORE, BE IT

RESOLVED, that the bond amount shall be established for the Project set forth below:

<u>PROJECT NAME:</u>	<u>BOND AMOUNT:</u>	
GAS LAND SOUTHEAST	Site Improvements	\$41,000.00
	Erosion & Sediment	\$ 1,640.00

And be it further

RESOLVED, that a certified copy of this resolution shall be transmitted by the Town Clerk to the Planning Board Secretary and Building Inspector forthwith.

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. 11 / 2021 RESOLUTION TO DECLARE LEAD AGENCY

INTRODUCED BY: Supervisor Hay
SECONDED BY: Councilman Alvarez

WHEREAS, the Town Board of the Town of Southeast is considering adopting a Route 22 Master Plan, which includes design guidelines and zoning recommendations for Route 22 from the terminus of Interstate 684 to the Patterson town line, and would be an addendum to the Town's Comprehensive Plan (the Proposed Action); and

WHEREAS, the Town Board determined that the Proposed Action is a Type I Action pursuant to the State Environmental Quality Review Act (SEQRA); and

WHEREAS, the Town Board is the sole legislative body with the authority to adopt an amendment to its land use plan;

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 Type 1 Action.

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.

MOTION TO SET PUBLIC HEARING

Supervisor Hay made a motion to set a Public Hearing on the Route 22 Master Plan for Thursday, March 18, 2021. Councilman Alvarez seconded. All in favor.

SUPERVISOR'S REPORT

Supervisor Hay stated that he doesn't have much to report at this time, he is still waiting on the 2020 closeout report. We don't know about the CHIPS highway funds for this year at this time either.

PUBLIC COMMENT

Scott Seaman, Brewster Board of Education Trustee, stated that they are beginning to test children and staff, and they are working on getting more kids back in school as soon as possible.

TOWN BOARD COMMENT

Councilman Lord went to a Traffic Safety Board meeting and stated that the request for the 2 stop lights, one at Route 6 & 121 and the one at 312 & Farm to Market road are still waiting for a traffic study. Because of the weather and COVID, they won't get an accurate read right now. The Supervisor stated that he would like to attend those studies when they happen. The state asked about Pugsley Rd. and the new development, and Supervisor Hay said that the road is still seasonal and will be maintained until the project comes to the fruition.

Supervisor Hay read a proclamation acknowledging Dan Armstrong for 23 years of service on the Planning Board. He loved to serve and will be greatly missed.

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

Respectfully Submitted,

Michele Stancati
Southeast Town Clerk

