

TOWN OF SOUTHEAST
1360 Route 22, Brewster, New York 10509
Thursday, February 28, 2019
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
Councilwoman Lynne Eckardt - Absent
Councilman Edwin Alvarez

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

And: 13 Persons

PUBLIC HEARING

Discussion – State Line Retail Center

Supervisor Hay stated that this is a continued Public Hearing. Jamie LoGiudice, representing the State Line project, explained that the DOT asked for a SEQRA review in June of 2018. There have been discussions over the last 6 or 7 months and she stated they are in a good position. A letter was sent to the Town Board stating that the project is compliant with the previous SEQRA findings and any changes would require further review. There is no end user at this time, but they are trying to get pre-approvals for the site plan to make it more marketable. Councilman Lord asked how many more approvals did they need, and Ms. LoGiudice responded this is their first, about 3 more to go and she believes they are good for about 1 year.

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

WORK SESSION

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

Discussion – Chapter 71 - Blasting Permit Insurance and Requirements

Supervisor Hay stated that there is one open blasting permit right now and since comments have been made by the public, the building inspector has looked at the current regulations for Chapter 71. The current limit for notification is 300 ft. and it was suggested that it be changed to somewhere between 500 ft. to 1000 ft. The Town Board agreed to check with the Town Planner. There were also some changes to liability and insurance suggested.

Discussion – Chapter 54A – Numbering of Buildings

Supervisor Hay stated that there was a recommendation made by the Building Inspector that the Town Code requires numbers on houses and buildings to be 3 inches. It was recommended by Kenny Clair, the Putnam County Commissioner of Emergency Services, that it should be 4 inches to comply with NYS Code. Supervisor Hay suggested that anyone with 3- inch numbering doesn't have to change it now, but any new buildings will require 4- inch numbering.

Discussion – MTA Access Permit – Maybrook Bikeway Staging Area - 146 Pumphouse Road

The Supervisor stated that the MTA is requesting to utilize a portion of land owned by the Town on Pumphouse Rd. for the construction of a segment of the bike path. The permit will allow them to use this land as a staging area for construction. The parking and use of the bikeway and its hours will be discussed later down the road.

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. ACORD to TOSE Re: Liability Ins.-Mullally Brothers Inc.
2. Michele Dugan to Supervisor Hay Re: PC Humane Society Provision of Dog Shelter Services
3. Charles Voelkl to NYSDEC & Legal Division Re: Erosion Control at 37 Lake St. on Peach Lake/New Bldg. & Permitting of New Home into Peach Lake Sewer District
4. Office of the State Comptroller to Supervisor Hay Re: Justice Court Fund-12/18
5. NYS District Public Notice to TOSE Re: Final Regional Conditions, Water Quality Certification & Coastal Zone Concurrence for Nationwide Permit 3
6. Resident to Supervisor Hay Re: Concerns with Water in Brewster Heights-Allan Rd.
7. NYSEG to TOSE Re: Emergency Response Improvements Across Networks Mtg.
8. Commissioners Scannapieco and Croft to Supervisor Hay Re: 2019 General Election
9. Austin Powder to TOSE Re: Notice of Blasting-70 Holmes Rd.
10. Stephen Coleman to Mike Levine Re: Lakeview Manor, 215 Shore Dr.–Deck Project

11. Richard O'Rourke to Mike Levine Re: LAD Family Investment Construction Project-Blasting Permit
12. LexisNexis to TOSE Re: Merchants Mutual Ins.-Nicholas Electric Corp.
13. Diane Schonfield to Michele Stancati, (TC) Re: PC 2016 Book of Proceedings
14. Shannon Ryan to TOSE Re: Private Well & Septic System Materials
15. Ryan LaDuke to Harold Lepler Re: Mining without a Mined Land Reclamation Permit, Terravest 3 – Senior Housing Proposal
16. John Vickers to Alon Dominitz Re: Middle Branch Dam Biennial Safety Inspection
17. Kevin Byrne to Supervisor Hay Re: Home Rule Request
18. Metro-North Commuter Railroad Company, Putnam County & TOSE Re: Prospect Hill Bridge Easement Agreement
19. Sabrl Barisser to Tom LaPerch Re: Amended Final Site Plan Approval Southeast Executive Park
20. Matt Skane to Kathleen Burgess Re: COMCAST 2018 Customer Service Annual Report
21. William Orr to Supervisor Hay Re: E-Waste Removal
22. Putnam Humane Society to TOSE Re: Spring Fundraiser
23. Gerald Geist to TC Re: Credentials Committee for 2019 Training School & Annual Meeting
24. Denene Makkay to Supervisor Hay Re: PC Housing Corporation
25. Resident to Levon Bedrosian Re: Peaceable Hill Water District
26. William Carlin to Supervisor Hay Re: Real Property Taxes Extended
27. NYS Urban Forestry Council to TOSE Re: Arbor Day Community Grant
28. Resident to Supervisor Hay Re: Thank you From SE Seniors
29. Heather Evans to TOSE Re: Love Holds Life Children's Cancer Foundation
30. NYS Comptroller to Supervisor Hay Re: 1/19 Justice Court Fund
31. Bibbo Associates, LLP to Supervisor Hay Re: Parking Area Additions & Driveway Extension Plan for SE Executive Park
32. Matt Skane to Kathleen Burgess Re: COMCAST Xfinity TV Channel Updates
33. Barbara Beshears to Supervisor Hay Re: Appraisal of Property-24 Holmes Rd.
34. United States District Court of NJ to TOSE Re: Liquid Aluminum Sulfate Antitrust Litigation
35. Michael Maffei to Highway Superintendent Re: 2 Dead Trees on 25 Federal Hill Rd.
36. Enida Lee to TC Re: NYS Liquor License-AJI DIY Sushi Inc.

Foils

- Aimee Orlowski to Bldg. Dept. Re: CO's & Surveys-11 Hilltop Ln.
- Jason Holmes to Bldg. Dept. Re: File-Terravest Development
- Joanne Riccoboni to Plng. Dept. Re: File-American Water Property, 85 Fieldstone Dr.
- George Disbrow to Bldg. Dept. Re: Name of Company Doing the Blasting on Zimmer Rd.
- Tamara Tripp to Bldg. Dept. Re: File-Terravest Development
- Claudine McDermott to Bldg. Dept. Re: File-8 Woodland Dr.
- Lorna Welde to Bldg. Dept. Re: File-743 Rt. 312
- Bonnie Daleo to Bldg. Dept. Re: File-13-16 Brewster Woods Dr.
- Shaun Manning to Bldg. Dept. Re: File-11 Stone Hallow Dr.
- Stephen Herman to Bldg. Dept. Re: CO's, Permits & Surveys-11 Hill Ln.
- Chris Mentord to Bldg. Dept. Re: CO's, & Permits-21 Ridge St.
- Sheri Wolfe to Bldg. Dept. Re: File-281 Allview Ave.
- Michelle Vitner to Bldg. Dept. Re: CO's, Permits & Surveys-84 Allview Ave. & 21 Ridge St.
- Jay Luzzi to Bldg. Dept. Re: File-273 Starr Ridge Rd.

- Eric Gillman to Bldg. Dept. Re: Files-803 & 6302 Chestnut Dr.
- Mike Bruen to TC Re: Euro Video Productions Contract
- Danielle Raguzin to Bldg. Dept. Re: File-188 Joes Hill Rd.
- Mike Tenner to Bldg. Dept. Re: File-96 Cooledge Dr.
- John Piazza to Bldg. Dept. Re: File-12 Susan Rd.
- Peter Levy to Bldg. Dept. Re: File-1104 Greystone Ln.
- Allan Caccamo to Bldg. Dept. Re: File-1511 Rt. 22
- Cathy Croft to TC Re: Town Board Work Session-1/24/19
- Jackie Calhoun/Alison Kukulka to Bldg. Dept. Re: File-60 Pleasant Dr.
- Sherri Malone to Bldg. Dept. Re: File-246 Shore Dr.
- Christopher Frank to Bldg. Dept. Re: File-27 Nelson Blvd.
- William Butler to Bldg. Dept. Re: File-188 Joes Hill Rd.
- Linda Meyers to Bldg. Dept. Re: File-141 Foggintown Rd.
- Josephine Eagan to CO's & Survey-338 Rt. 202
- Joe Serra to Bldg. Dept. Re: File-74 Deans Corner
- Denise Cattoni to Acctg. Dept. Re: 2018 Vendor Payee Payments
- Eric Chung to Acctg. Dept. Re: SE Staff Contact Information
- Linda Finn to Bldg. Dept. Re: CO's & Surveys-55 & 122 Salmons Hollow Rd.
- Kristy Bays to Bldg. Dept. Re: File-13 Elmhurst Ave.
- David Beshears to Bldg. Dept. Re: File-24 Holmes Rd.
- Margo Retz to Bldg. Dept. Re: File-1-5 Fallsview, Industrial Park
- Keri Cipriano to Bldg. Dept. Re: CO's-104 Autumn Ln.
- Karine Jurek to Bldg. Dept. Re: File-252-254 Milltown Rd.
- Linda Finn to Bldg. Dept. Re: CO's, Survey & Violations-69.-18-1-11
- Shaina Campo to Bldg. Dept. Re: File-8 Woodland Dr.
- Silvia Delgado to Bldg. Dept. Re: CO's & Survey-213 North Brewster Rd.
- Robert Stewart to Assessor Re: Dynacept at 2 International Blvd.
- Josephine Eagan to Bldg. Dept. Re: Files-144 Carriage Hill Rd., 803 Autumn Ln. & 339 Allview Ave.
- Silvia Delgado to Bldg. Dept. Re: File-84 Allview Ave.
- Dawn Gambichler to Bldg. Dept. Re: CO's, Violations & Permits-9 Carillion Rd.
- Jeanne McMurray to Bldg. Dept. Re: File-14 Louis Pl.
- Jeremy Eli to Acctg. Dept. Re: Water/Sewer Bill-5006 Applewood Circle
- Catherine Johansen to TC Re: Contact Infomation-45.-1-3
- Nancy DiMuria to Bldg. Dept. Re: File-1302 Holly Stream Ct.
- Robert Gladman to Bldg. Dept. Re: CO's-483 North Salem Rd.
- Tom Pettinato to Bldg. Dept./Fire Inspector Re: Onsite Petroleum Storage Tanks-45-1-6.1, 45-1-6.2, 45-1-7.2, 45-1-7.2 & 45-1-59

Emails

1. James Randazzo to Supervisor Hay Re: Thomas v. TOSE Decision
2. Resident to Highway Superintendent Re: Mailbox Knocked Down-223 Dingle Ridge Rd.
3. William Shilling to Don Rossi/Jamie Spillane/William Nuk/Frank Smith Re: Ahana Closing
4. Eileen Hogan to Supervisor Hay Re: New Sexual Harassment Legislation
5. Paige Lewandowski to Supervisor Hay Re: Cottontail Rabbit Monitoring Permission

6. Resident to Highway Superintendent/Nancy Fagnani Re: Clothing Donation Bin & E-waste
7. Resident to Supervisor Hay Re: Proposal of a Traffic Light at 1583 Rt. 22
8. Resident to Supervisor Hay Re: Damaged Mailbox-6 Seven Oaks Ln.
9. Victoria Desidero to Dept. Heads Re: CivicPlus Service Disruption
10. Resident to TC Re: Potholes on Rt. 22
11. Mike Levine to Supervisor Hay Re: Blasting Permit Insurance and Requirements
12. Michael Bartolotti to TC Re: Grant Application
13. TC to Vika Werlin Re: GC-RCF for Southeast Rotary
14. Kelly Primavera to TC Re: 2019 Letter Certification of Offices
15. Andrea Basli to TC Re: 2019 Political Calendar & Submission of Proposals Deadline
16. Highway Superintendent to Town Board Re: Disposing of E-waste
17. Supervisor Hay to Highway Superintendent/Nancy Fagnani Re: 2019 Town Vehicle Policy
18. Mike Bruen to TC Re: Board of Ethics
19. Jason Coppola to J&P Property Holdings/Getty Realty Corp. Re: NOV-1224 NYS Rt. 22
20. Mike Levine to Supervisor Hay Re: Blasting Concerns at Terravest Project
21. Supervisor Hay to Richard O'Rourke Re: Independent Sewage Works, Inc., Rates
22. Resident to Supervisor Hay Re: Garbage Pick Up at TOSE
23. Victoria Desidero to ZBA Dept. Re: 2019 ZBA Meeting
24. Supervisor Hay to Town Board Re: Inquiry to Purchase Town Property-24 Holmes Rd.
25. Mike Liguori to Supervisor Hay/Alan Getz Re: Highlands/Southeast Executive Park Easement for Parking Lot
26. Ashley Ley to Supervisor Hay Re: NYSDOT Region 8, I-684 & I-84 Transportation Corridor Study
27. NY Town Clerks Association to TC Re: NY Governor's Office Announcement
28. BAS to TC Re: Edmunds and Associates Announces Acquisition of BAS
29. Mike Bruen to TC Re: Town Surveillance Video Request Procedure
30. Dennis Santucci to Mike Levine Re: Formal Complaint-7 Shady Ln.
31. Resident to Supervisor Hay Re: Road Conditions on Maple Rd.
32. Mike Bruen to Supervisor Hay Re: Foil Request-Loose Ends
33. Anthony Campbell to Supervisor Hay Re: Metro-North Prospect Hill Rd. Bridge-Embankment Easement
34. Gina Loprinzo to Supervisor Hay Re: Library Board New Trustee
35. William Orr to Supervisor Hay Re: E-Waste Removal
36. Supervisor Hay to Steve Coleman Re: Repave Lakeview Manor
37. Mark Jacobs to Supervisor Hay Re: Longview School
38. Mike Bruen to Mike Levine Re: Property Violation-91 Brewster Hill Rd. & Food Truck Application
39. Eric Larca to Town Board Re: Traffic Safety Meeting Update
40. Supervisor Hay to Mayor Schoenig Re: Peaceable Hill Water Rates
41. Todd Metcalfe to TC Re: General Code Supplement Update
42. Town Board to Highway Superintendent/Nancy Fagnani Re: Condition & Materials Used on Maple Rd.
43. Mike Bruen to TC Re: Lakeview Manor Foil
44. Rick O'Rourke to TC Re: ISW Determination of Rate Petition
45. Will Stephens to Putnam Press Legal Re: Notice of Public Hearing
46. Resident to Supervisor Hay Re: E-waste Collection Discontinued
47. Carmine Labriola to Supervisor Hay Re: Rural Suburban Improvements

48. Resident to Highway Superintendent Re: Salting the Roads
49. Tom Fenton to Supervisor Hay Re: Long View School Purchase Property on Joe's Hill Rd.
50. Mike Bruen to Supervisor Hay Re: Town Concerns
51. Norma Drummond to TOSE Re: East of Hudson Water Quality Investment Funds for-Somers Salt Storage & Processing Facility and Lewisboro Salt & Sand Facility
52. Olenna Truskett to TC Re: Fire Hydrant Pressure Testing Results for Old Town Hall
53. Supervisor Hay to Town Board Re: E-Waste Removal for Towns in Putnam County
54. Highway Superintendent to TC Re: Agenda for Town Board Meeting
55. B&H Photo to Supervisor Hay Re: B&H Photo Order Confirmation
56. Supervisor Hay to Anthony Campbell Re: Receiving TP-584
57. Mike Liguori to Supervisor Hay/Alan Getz Re: Easement Parking Lot for SE Executive Park

Correspondence Sent

1. Victoria Desidero to Mr. Atkinson Re: MS4 Stormwater Pollution Prevention Plan-Ruffian
2. Supervisor Hay to Resident Re: Concerns with Water in Brewster Heights-Allan Rd.
3. Supervisor Hay to PC Superintendent Re: Agreement for the Expenditure of Highway Moneys
4. TC to Commissioners Scannapieco and Croft Re: 2019 General Election
5. Susan Tobacco to Gary Curto Re: 2019 County & Town Tax Bill-Block Building Associates
6. Mike Levine to Property Owner Re: NOV/OTR-25 Shailin Ln.
7. Mike Levine to Property Owner Re: NOV/OTR-1224 Rt. 22
8. Mike Levine to Property Owner Re: NOV/OTR-Deans Corner Rd. at I684N
9. Mike Levine to D. & K. Santucci Re: Fence Permit Application-5 Shady Ln.
10. TC to Delancey St. Foundation Re : Commercial/Residential False Fire Alarm Report
11. Mike Levine to Property Owners Re: NOV/OTR-68.5-2-6, 56.-2-40 & 56.-1-9
12. Supervisor Hay to E-Waste+/Newtech Recycling/Vintage Tech/Advanced Recovery, Inc. Re: Southeast E-Waste Removal Cost
13. Mike Levine to Property Owner Re: SWO/NOV/OTR-78.-1-105
14. Tom LaPerch to TB Re: SE Executive Park Parking & NY American Water Bond Estimates

VOUCHERS

Supervisor Hay made a motion to approve the Vouchers in the amount of \$2,814,684.77. 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, 10509 at 7:00 P.M. unless otherwise noted. Councilman Lord seconded. All in favor.

Work Session / Regular Meeting – Thursday March 14, 2019

Work Session / Regular Meeting – Thursday March 28, 2019

- Public Hearing for Chapter 71 Blasting
- Public Hearing for Chapter 54A -Numbering of Bldgs.

BUDGET TRANSFERS

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

RESOLUTION NO. 12 /19 PUTNAM BUSINESS PARK ADDITION RESOLUTION ESTABLISHING PERFORMANCE BOND

INTRODUCED BY: Supervisor Hay
 SECONDED BY: Councilman Alvarez

WHEREAS, the Town Board is in receipt of a recommendation from the Town Engineer dated January 24, 2019 with respect to the establishment of a performance bond for the site work associated with the project development plan application of Putnam Business Park, located at 1689 Route 22, (Tax Map. 46.-3-17); and

WHEREAS, upon review of such recommendation and upon the positive referral from the Planning Board dated January 29, 2019, the Town Board agrees to accept this recommendation.

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>
Putnam Business Park Addition (Tax Map 46.-3-17)	Site Improvements \$136,000.00
	Erosion & Sediment \$38,200.00

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

VOTE: carried by a vote of 4 in favor, 0 against; 0 abstained.

**RESOLUTION NO. 13 / 19 NEW YORK AMERICAN WATER RESOLUTION
ESTABLISHING PERFORMANCE BOND**

INTRODUCED BY: Supervisor Hay
SECONDED BY: Councilman Alvarez

WHEREAS, the Town Board is in receipt of a recommendation from the Town Engineer dated February 7, 2019 with respect to the establishment of a performance Bond for the site work associated with the site plan application of New York American Water Company, located at 85 Fieldstone Drive, (Tax Map. 46.-2-23); and

WHEREAS, upon review of such recommendation and upon the positive referral from the Planning Board dated February 12, 2019, the Town Board agrees to accept this recommendation.

NOW, THEREFORE, BE IT

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

PROJECT NAME:	BOND AMOUNT:	
New York American Water (Tax Map 46.-2-23)	Site Improvements	\$92,000.00
	Erosion & Sediment	\$ 8,400.00

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

VOTE: carried by a vote of 4 in favor, 0 against; 0 abstained.

Supervisor Hay made a motion to waive the rules to allow to vote on the MTA resolutions due to time limitations. Councilman Alvarez seconded. All in favor.

RESOLUTION NO. 14 / 2019 RESOLUTION TO DECLARE LEAD AGENCY

INTRODUCED BY: Supervisor Hay
SECONDED BY: Councilman Alvarez

WHEREAS, the Town Board of the Town of Southeast is considering granting a temporary access permit to the Metro-North Commuter Railroad Company (“Metro-North”) so it may utilize a portion of land owned by the Town of Southeast, located at 146 Pumphouse Road, Brewster, NY and identified as Tax Map Parcel 45.83-1-1 for a temporary construction staging area for the construction of a segment of the pedestrian and bicycle path known as the “Maybrook Trailway” over portions of the Metro-North Beacon line;

WHEREAS, the Town Board is the only agency that has the authority to grant an access permit for the use of Town property, therefore, no other agencies are considered potential Involved Agencies;

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

UPON ROLL CALL VOTE:

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

VOTE: carried by a vote of 4 in favor, 0 against; 0 abstained.

RESOLUTION # 15 /2019 MTA ACCESS PERMIT- MAYBROOK BIKEWAY STAGING AREA

SEQR

INTRODUCED BY: Supervisor Hay
SECONDED BY: Councilman Alvarez

State Environmental Quality Review
NEGATIVE DECLARATION
Notice of Determination of Non-Significance

Date: February 28, 2019

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Town of Southeast Town Board as lead agency has determined that the proposed action described below will not have a significant environmental impact and a Draft Environmental Impact Statement will not be prepared.

Name of Action: Access Permit Agreement for Construction Staging Area

SEQR Status: Type 1 £
 Unlisted T

Conditioned Negative Declaration: £ Yes
 T No

Description of Action:

The Proposed Action is the granting of a temporary access permit to the Metro-North Commuter Railroad Company ("Metro-North") so it may utilize a portion of land owned by the Town of Southeast, located at 146 Pumphouse Road, Brewster, NY and identified as Tax Map Parcel 45.83-1-1 for a temporary construction staging area. The staging area would be used for the construction of a segment of the pedestrian and bicycle path known as the "Maybrook Trailway" over portions of the Metro-North Beacon line, which was the subject of its own review under the State Environmental Quality Review Act (SEQRA).

Location: Town of Southeast, NY

Reasons Supporting This Determination:

The following materials have been reviewed:

- Short Environmental Assessment Form (EAF), dated February 26, 2019

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

- (i) Not result in "a substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic or noise levels; a substantial increase in solid waste production; a substantial increase in potential for erosion, flooding, leaching or drainage problems;" (§617.7(c)(1)(i))
- (ii) Not result in "the removal or destruction of large quantities of vegetation or fauna; substantial interference with the movement of any resident or migratory fish or wildlife species; impacts on a significant habitat area; substantial adverse impacts on a threatened or endangered species of animal or plant, or the habitat of such a species; or other significant adverse impacts to natural resources;" (§617.7(c)(1)(ii))
- (iii) Not result in "the impairment of the environmental characteristics of a Critical Environmental Area as designated pursuant to subdivision 617.14(g) of this Part;" (§617.7(c)(1)(iii))
- (iv) Not result in "the creation of a material conflict with a community's current plans or goals as officially approved or adopted;" (§617.7(c)(1)(iv))
- (v) Not result in "the impairment of the character or quality of important historical, archaeological, architectural, or aesthetic resources or of existing community or neighborhood character;" (§617.7(c)(1)(v))
- (vi) Not result in "a major change in the use of either the quantity or type of energy;" (§617.7(c)(1)(vi))
- (vii) Not result in "the creation of a hazard to human health;" (§617.7(c)(1)(vii))
- (viii) Not result in "a substantial change in the use, or intensity of use, of land including agricultural, open space or recreational resources, or in its capacity to support existing uses;" (§617.7(c)(1)(viii))
- (ix) Not result in "the encouraging or attracting of a large number of people to a place or places for more than a few days, compared to the number of people who would come to such place absent the action;" (§617.7(c)(1)(ix))

- (x) Not result in "the creation of a material demand for other actions that would result in one of the above consequences;" (§617.7(c)(1)(x))
- (xi) Not result in "changes in two or more elements of the environment, no one of which has a significant impact on the environment, but when considered together result in a substantial adverse impact on the environment; or" (§617.7(c)(1)(xi))
- (xii) Not result in "two or more related actions undertaken, funded or approved by an agency, none of which has or would have a significant impact on the environment, but when considered cumulatively would meet one or more of the criteria in this subdivision." (§617.7(c)(1)(xii))

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

For Further Information:

Contact Person: Hon. Tony Hay, Supervisor
 Address: Town of Southeast Town Hall
 1360 Route 22
 Brewster, NY 10509
 Telephone Number: (845) 279-4313

A Copy of this Notice has been filed with:

- Hon. Tony Hay, Supervisor, Town of Southeast
- Michele Stancati, Town Clerk, Town of Southeast
- Putnam County Department of Planning/Development & Public Transportation
- Metro-North

UPON ROLL CALL VOTE:

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

VOTE: carried by a vote of 4 in favor, 0 against; 0 abstained.

RESOLUTION NO. 16 / 2019 AUTHORIZING SUPERVISOR TO EXECUTE LICENSE AGREEMENT WITH METROPOLITAN TRANSPORTATION AUTHORITY MAYBROOK LINE-BIKE TRAIL

INTRODUCED BY: Supervisor Hay

SECONDED BY: Councilman Larca

WHEREAS, the Metropolitan Transportation Authority (“MTA”) is in the process of developing the now defunct “Maybrook” rail line into a bicycle and pedestrian way (the “Bikeway”); and

WHEREAS, the MTA has approached the Town of Southeast seeking to enter into a license or permit arrangement wherein and whereby the MTA will use portions of the Town’s property at 146 Pumphouse Road as a “staging” area for construction activities associated with the development of the Bikeway, most of which will occur on the MTA property; and

WHEREAS, the Town of Southeast acknowledges that there is a need to work cooperatively with all levels of government and to utilize every means available to provide the maximum services in the most cost-effective manner and at the least possible cost to the taxpayers, and

WHEREAS, the Town owns facilities which are under-utilized; and

WHEREAS, the Town Board has analyzed the proposal of the MTA, determined that the granting of the license for the MTA to use the Subject Premises as a staging area is a Type II action pursuant to SEQRA and will not likely to cause any negative impact to the environment.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Supervisor is hereby authorized to execute a revocable license agreement with the MTA, wherein and whereby the MTA will use and utilize a portion of the Lake Tonetta Park property located at Pump House Road as and for a staging area for the construction and improvement of portions of the “Maybrook” rail line into a bike / pedestrian “rail trail”, in form and substance approved by the Town Attorney; and be it further; and

RESOLVED, that all actions heretofore taken by the Supervisor in connection with this initiative are hereby ratified, confirmed and approved *nunc pro tunc*; and be it further

RESOLVED, that this Resolution shall take effect immediately.

UPON A ROLL CALL VOTE:

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

VOTE: carried by a vote of 4 in favor, 0 against; 0 abstained.

**RESOLUTION NO. 17 / 19 SOUTHEAST EXECUTIVE PARK – PARKING ADDITION
RESOLUTION ESTABLISHING PERFORMANCE BOND**

INTRODUCED BY: Supervisor Hay
SECONDED BY: Councilman Alvarez

WHEREAS, the Town Board is in receipt of a recommendation from the Town Engineer dated February 11, 2019 with respect to the establishment of a performance bond for the site work associated with the site plan application of Southeast Executive Park, located at 185 Route 312 and Independent Way, (Tax Map. Nos. 45.1-1-3, 45.-1-2.1, 56.-1-31 and 56.1-32.112); and

WHEREAS, upon review of such recommendation and upon the positive referral from the Planning Board dated February 12, 2019, the Town Board agrees to accept this recommendation.

NOW, THEREFORE, BE IT

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

PROJECT NAME:	BOND AMOUNT:	
Southeast Executive Park	Site Improvements	\$830,000
Tax Map Nos. 45.1-1-3, 45.-1-2.1, 56.-1-31 and 56.1-32.112	Erosion & Sediment	\$ 33,200

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

VOTE: carried by a vote of 4 in favor, 0 against; 0 abstained.

**RESOLUTION NO. 18 / 2019 SETTLEMENT OF CERTIORARI PROCEEDING
DEANS CORNERS WATER CORP – TAX MAP 67.-3-79.-1**

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 Deans Corners Water Corp., Tax Map No. 67.-3-79.-1, for the 2018 tax roll; and

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

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Southeast does hereby accept the recommendations of its professional advisors and authorizes the Town Attorney to execute a Stipulation of Settlement, Consent Judgment and/or Order on Consent in accordance with said recommendations for the following:

Petitioner	Tax ID	Year	Assessment	Settled Assessment
Deans Corners Water Corp	67.-3-79.-1	2018	\$863,000	\$215,750

And be it further

RESOLVED, that the Town Attorney is hereby authorized and directed to execute any and all stipulations, consent orders or other documents necessary to reflect the forgoing settlement.

UPON A ROLL CALL VOTE:

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

VOTE: carried by a vote of 4 in favor, 0 against; 0 abstained.

**RESOLUTION NO. 19 / 2019 SETTLEMENT OF CERTIORARI PROCEEDING
MEADOWS @ DEANS CORNERS SEWAGE CORP – TAX MAP 78.-3-29.-1**

INTRODUCED BY: Supervisor Hay
SECONDED BY: Councilman Larca

WHEREAS, proceedings have been commenced in NYS Supreme Court challenging the assessed valuation of premises owned by Meadows @ Deans Corners Sewage Corp., Tax Map No. 78.-3-29.-1, for the 2018 tax roll; and

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

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Southeast does hereby accept the recommendations of its professional advisors and authorizes the Town Attorney to execute a Stipulation of Settlement, Consent Judgment and/or Order on Consent in accordance with said recommendations for the following:

<u>Petitioner</u>	<u>Tax ID</u>	<u>Year</u>	<u>Assessment</u>	<u>Settled Assessment</u>
Meadows @ Deans Corners Sewage Corp.	78.-3-29.-1	2018	\$1,500,000	\$375,000

And be it further

RESOLVED, that the Town Attorney is hereby authorized and directed to execute any and all stipulations, consent orders or other documents necessary to reflect the forgoing settlement.

UPON A ROLL CALL VOTE:

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

VOTE: carried by a vote of 4 in favor, 0 against; 0 abstained.

RESOLUTION NO. 20 /19 DYKEMAN’S CORPORATE PARK REDUCTION OF PERFORMANCE 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 Planning Board dated February 26, 2019 which incorporates the analysis of the Town Engineer, dated February 22, 2019, with respect to the Reduction of Performance Security for the Dykeman’s Corporate Park site plan located at 425 Route 312 (Tax Map No. 45.-2-35); and

WHEREAS, the Town Board is satisfied with the recommendations made by the Planning Board and its professional advisors.

NOW, THEREFORE, BE IT

RESOLVED, that the bond amount for the following project is set as follows:

<u>PROJECT NAME</u>	<u>PRESENT AMOUNT</u>	<u>RECOMMENDED TO:</u>
Dykeman’s Corporate Park Sediment & Erosion Control	\$49,900	\$19,500

UPON A ROLL CALL VOTE:

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

VOTE: carried by a vote of 4 in favor, 0 against; 0 abstained.

SUPERVISOR'S FINANCIAL REPORT

Supervisor Hay stated that 2018 was a good year except for a loss of revenue with the Courts. They usually generate \$500,000.00 a year and last year only generated \$268,000.00. There was a loss of \$373,000.00 for the Town and the Supervisor said he will sit with the Town Attorney, a Town Board member and the Judges to see what is happening. It's too early in the year for an update on 2019.

PUBLIC COMMENT

Cathy Croft asked about the status of the Putnam Bike Trail and if it is still going to cross over the Metro North yards. Supervisor Hay stated yes, but the contractor walked off the project which caused a delay, but they have a new contractor and hopefully it will be done sooner than later. Councilman Lord stated he would give them a call and get an update. She also asked about the status of the Morningthorpe Bridge and Supervisor Hay stated that it's still in the works. Another question was about Interstate Logistics and Supervisor Hay stated that they will be coming back with a revised, downsized proposal, where there will be no need for variances and zoning text changes.

Michael Bruen stated that he sent questions on the renovations to Lakeview Plaza to the Town on February 18 and has received no reply. Councilman Larca checked his emails and stated that the Town Board responded on February 24. Michael Bruen stated he didn't receive it and Councilman Larca forwarded it to him again. Michael Bruen then stated he sent out a new FOIL request that he hasn't gotten the information requested and Councilman Alvarez stated he knows it was responded to and was explained in detail. Councilman Larca stated that FOIL is not a Town Board issue, but if you are not happy with the response given, there are avenues you can pursue. Supervisor Hay stated that every email is responded to and when it is addressed to the Town Board, every member has an opportunity to give their input and it is answered by the Town Board.

TOWN BOARD COMMENT

Councilman Lord stated that he asked the Putnam County Traffic Board about a signal on Route 22 near the Dunkin Donuts Plaza and they said they have no funds for new modifications and said that a new study would need to be done and paid for by the owners. They didn't feel there

was sufficient evidence to warrant a light. Councilman Larca also attended the meeting and asked about changing or adding a turning lane and paving Route 22 and they stated it was two separate issues, they didn't think the lanes would be modified but the road could potentially be resurfaced, and they will look into it. Councilman Lord also stated that there is an issue with Cobb Rd. being a cut through when I-84 is backed up and the DOT said that the Town would need to petition the DOT.

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

Respectfully Submitted,

Michele Stancati
Southeast Town Clerk