

**TOWN OF SOUTHEAST**  
**1360 Route 22, Brewster, New York 10509**  
**Thursday, March 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.**

**PUBLIC HEARING**

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

**Rezoning Route 22 Corridor**

Town Consultant Ashley Ley gave a presentation on the Route 22 Corridor update. She stated that the Planning Board gave a recommendation to the Town Board back in February to update the Route 22 Master Plan. It was also referred to the Putnam County Planning Department and they had no objection. The overview given by Ms. Ley establishes criteria and design guidelines for the location, design and orientation for pedestrian improvements, landscaping, stormwater management, bike and vehicular infrastructure. It seeks to balance a healthy economic environment with quality-of-life infrastructure improvements that benefit both the Town's residents and commercial businesses. There was an online survey conducted with 397 responses, four workshops and one public hearing with the Planning Board. The zoning recommendations are to break up the zoning into 3 different sections. The first area is basically from 684 to up to Milltown Rd. The recommendation is to retain existing RC and residential zoning for properties south of Virginia Woods, consider rezoning Brewster Woods to RMF and extend SR22 south to the intersection of Milltown Rd. Area 2 is to extend SR22 from Milltown Rd to Route 312 and update allowable uses. The last section, area 3, is from route 312 to the Patterson town line. For this section, the recommendation was to rezone the northern section of Old Doansburg Rd to OP-1 new or RC-2, to allow commercial and residential uses. It will extend HC zone, north on the west side of Route 22 and retain the existing OP-2 on the east side of Route 22.

For SR22, the Zoning text changes recommended are to add new Conditional Use Permit uses such as general business, theater/performing arts, research labs, animal hospital /veterinary practices, and doggie daycare. New special permit uses would be accessory self-storage, motor vehicle dealership, increase accessory residential, create new live/work zoning designation and special permit conditions, increase maximum building size and drive-thru restrictions.

In the HC zoning, the text changes would add new Conditional Use permit uses such as self-storage and remove drive-thru restrictions.

In the RC zone, the changes would allow single family residential at the same density as R-160 and allow accessory residential to commercial uses. The New RC-2, would have the same allowable uses as RC and allow general business as a permitted principal use, and reduce the minimum lot size and setbacks.

The new master plan also includes some general recommendations about conceptual bike lanes and trail connections and landscaping design guidelines. There are 3 designated zones for landscaping, the transitional zone, the commercial zone, and the rural zone. There are specific landscaping recommendations for each zone to create a more cohesive look to the corridor.

Sam Mermelstein stated he has been a property owner for a long time and owned the former golf dome property. He tried to develop it for a long time and the challenges have been the zoning and the sewer situation. He wanted to build about 100 units of senior housing or a storage unit. He looked at the survey and what he saw was that most people were concerned about increasing the tax base and limiting traffic. A storage unit and senior housing would accomplish that. There is a huge need for both. He strongly urged the Town Board to look at this as an option.

Miriam Yuketel said she would like to see more recreation areas, and not anything that would add more traffic.

Lisa and Anthony Lisi Jr., of Lisi's Towing, thanked the Town for doing this and stated that they would like to discuss a special use permit to allow their family business to be allowed up on Route 22 near the Patterson border. They are bursting at the seams at the corner of Route 6 and 22 and have been looking for an appropriate space for their business, and the most desirable is on Route 22 up in Patterson.

Ms. Ley stated that the request is to add a motor vehicle service station which allows for a towing use to the Route 22 corridor as a new special permit use. The property they are talking about is on the northern end of Route 22 on the east side, where a warehouse was previously proposed, set back from Route 22.

Ms. Ley clarified that this is the first public hearing on the draft master plan. Following the receipt of all these public comments, they will be discussed to see which recommendations the Town wants to make or change to the plans to address the public comments. The Town can then move forward to adopt the master plan and any zoning changes.

Anthony Jr. stated that they wanted to continue to grow in their Town and thanked the Town Board for the opportunity and help.

Councilman Larca thanked the Lisi's for all the birthday parades they did for the Town during the pandemic.

Councilman Lord asked what the zoning is for the area the Lisi's want to move to. Ms. Ley stated that the current zoning for that parcel is OP2 and that currently motor vehicle is not a permitted use in OP2.

Lisa Lisi added that this piece of property is the right size and scale for their business and it's not visible from the road. We want to do more visually at our current site but just don't have the room. She thanked the Town Board.

Carla Luchino stated that the plan is very good and great for the Town. We just have to make sure it's implemented. People are excited and have expectations of change.

Councilman Larca thanked everyone for a good job, he just had some concerns with the survey. There were about 400 responses but since you could respond multiple times, I'm sure there is repeated feedback.

Ms. Ley stated that the survey was anonymous so you could fill it out more than once, and there could be some coordination of form letter responses.

Councilman Larca stated he could see self-storage as an interesting use, with low impact on water and traffic. He shared two pictures of self-storage buildings that could be aesthetically pleasing. He stated he would be in favor of it being a special use permit because it would generate tax revenue and have little impact on resources including traffic. With a special permit, we could have some restrictions.

Councilman Lord asked that since you believe the survey has been skewed, you don't believe that the people who don't want self-storage should be taken seriously?

Councilman Larca said no, just that he wouldn't put 100% of his decision making based on a survey that is based on a really small population, could have flaws on the data, and I'm not sure that with the questions asked if the context was there. He gave an example of self-storage and thought there should be a picture there. He's interpreting the surveys a little bit differently than the raw results.

Councilman Lord stated that he agreed with Councilman Larca that self-storage wouldn't be as impactful, but he would take into consideration what the public thought, but can see his point. The fact that Life Storage is not a permitted use in that zone, are we not making it a conditional use in that zone? Ms. Ley responded yes, that's what is proposed. Would that allow other self-storage facilities to go into that zone as a conditional use or a special use permit? Ms. Ley stated that if we add self-storage as a conditional use to the HC zone which it is in now, there would be a few other parcels in the Town that would be eligible, primarily at route 312 and I84 interchange. Councilman Lord asked if conditional use permits are not as restrictive as special use permits. Ms. Ley explained that they are similar and both have performance criteria. The difference is the conditional use permit is granted by the Planning Board and the Special Permit is granted by the Town Board. Councilman Larca stated that he would prefer it be a Special Permit in SR22, he prefers that procedure. Councilman Lord agreed but thought we should make the existing self-storage legal in some sense. Councilman Lord asked if there was another way. Ms. Ley stated that we can change it to special permit in HC or rezone it with its own type of zoning which she doesn't recommend. Councilman Lord stated his other concern was auto dealerships. The recommendation is to reduce the lot to four acres and allow used car dealerships to be in the SR22 zone. SR22 is a pretty sizeable area so more than one dealership could be allowed and according to the survey, most of the residents weren't for it. I wouldn't be in favor of changing the lot size. When does the special use permit get put into the master plan? Ms. Ley stated that right now there are some concepts proposed for the special criteria, but based on the response tonight and where the Town Board wants to go with this, I would draft the specific zoning text amendment that you would consider for adoption following the adoption of the master plan. The zoning needs to match language that's in the master plan. Councilman Lord stated that he would just like the plan to conform to the residents wishes and not be sorry down the line.

Supervisor Hay stated that the auto dealerships in Town now are much less than 15 acres. Ms. Ley stated that that number came from the 2014 updated comprehensive plan and auto dealerships were not a permitted use. They were pre-existing, non-conforming and it was difficult to make changes to their property. The existing dealerships are exempt from the 15 acres; it's for new dealerships if they come along, more room for storage and setbacks. Since that time there has been some new kinds of used car dealerships popping up, primarily online with small lots. Maybe we can reconsider a 4 acre minimum and additional performance criteria to address any other concerns.

Mr. Martabano represents the owner of the Dills Best property, which has been vacant for about 15 years. They own many car dealerships from here to Florida. He provided the Planning Board with a survey of not only that property, but one in Mt. Kisco, Bedford, and more. They are on lots substantially smaller than 4 acres, and their buildings are substantially smaller. This is a use where you have properties in Town that are underutilized and uniquely suited for this. It will bring jobs and revenue to the Town. He also stated that he could show the Town an example of what it would look like.

Supervisor Hay asked if something can be written in, that if it's a used car lot it could not be a lot by itself and couldn't take up more than 10% of the lot?

Ms. Ley said that it's a potential but what we're seeing with these new lots like Carvana, they only sell used or pre-owned cars and it's not a traditional used car lot.

Councilman Lord stated he was at the Planning Board meeting where this was presented and his concern is having multiple dealerships in the SR22 zone.

Councilman Alvarez stated that he supports the Lisi' family and is a fan of their business, and asked if they looked at the property on Route 312 where Morrow Crane was looking to go; it might be a good alternative. Supervisor Hay stated that that property has been bought by someone and has an intended use.

Supervisor Hay made motion to close the public hearing but extend the written comment period for 10 Days. Councilman Alvarez seconded. All in favor.

### **WORK SESSION**

#### **Discussion – Protocol for Interviewing Various Board Candidates**

There was a discussion on whether the Town Board should interview every candidate for Southeast Boards or accept the individual Board's recommendations for the position. Supervisor Hay stated he will put something together for discussion.

### **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. Town of Kent to TOSE Re: Public Hearing-Local Law Prohibiting Mining within the Town of Kent

2. Sterling Environmental Engineering to NYSDEC, Supervisor Hay & TB Re: TOSE Landfill Use for Staging
3. PC Legislature to Supervisor Hay Re: Charter Review Commission Seeking Input from Towns & Villages
4. Office of the State Comptroller to TOSE Re: Justice Court Fund-04-2020
5. Office of the State Comptroller to TOSE Re: Justice Court Fund-01-2021
6. Van DeWater & Van DeWater, LLP to Laurie Bell, Assessor Re: Our Lady Queen of Peace House of Prayer
7. PC DOH to TOSE Re: 2021 Permit to Operate a Community Water System-Mountain Brook Homes, Fox Hill Estates, Starr Ridge Manor, Hillcrest, Peaceable Hill, Springhouse Estates, Brewster Heights, Lakeview Manor Park, Blackberry Hill & Birch Hill Acres
8. PC DOH to TOSE Re: 2021 Permit to Operate a Community Water System-TOSE
9. NYS Dept. of Taxation & Finance to TOSE Re: Notice of Tentative Telecommunications Ceiling
10. Cullen & Dykeman to TOSE Re: Complaint of Tentative Special Franchise Full Values-New York American Water Company
11. NYS Office of Children and Family Services to TOSE Recreation Dept. Re: TOSE Swimming Lessons
12. NYS Office of the Comptroller to TC Re: Current Appointment & Contact Information
13. NYS Dept. of Taxation & Finance to Supervisor Hay & TA Re: Determination of Adjusted Base Proportions
14. NYS DOT to Supervisor Hay Re: No Parking Route 312 TOSE
15. NYS Agriculture & Markets to Supervisor Hay Re: Dog Control Officer Inspection Report
16. Enbridge to Supervisor Hay Re: Crossing Project TOSE-Tree Clearing
17. Acord Ins. to TOSE Re: Algonquin Gas Transmission

#### FOILS

- Robert to Bldg. Dept. Re: All Building Records-90 Maplewood Drive
- Rosa Linda Sibilio to Bldg. Dept. Re: All Building Records-3711-3751 Danbury Road
- James Garcia to Bldg. Dept. Re: All Building Records-21 Old Doansburg Road
- Kristine Romero to Bldg. Dept. Re: Plan for Addition-84 Blueberry Drive
- Chris Filangeri to Bldg. Dept. Re: All Building Records-90 Maplewood Road
- Beth Andreo to Bldg. Dept. Re: All Building Records-90 Acorn Road
- Alena Guryeva to Bldg. Dept. Re: Survey-22 Prospect Street
- Brian Fitzgerald to Bldg. Dept. Re: All Building Records-106 Vails Lake Shore Drive
- Anthony Galella to Bldg. Dept. Re: All Building Records-21 Old Doansburg Road
- Krista Brady to Bldg. Dept. Re: All Building Records-33 Old Doansburg Lane
- Robert J. Pape to Bldg. Dept. Re: All Building Records-2 Acorn Road
- Carlos Daeira to Bldg. Dept. Re: All Building Records-1785 Route 22
- Stephen L. Harman to Bldg. Dept. Re: All Building Records-48 Shore Drive
- Kevin Joyce to Bldg. Dept. Re: All Building Records-7 Old Farm Lane
- Paul Hardy to Bldg. Dept. Re: Building & Zoning Compliance Letters-3101 Stonecrest Drive
- Jenny Martinez to Bldg. Dept. Re: All Building Records-1806 Village Drive
- Magdalena Pawlowska to Bldg. Dept. Re: All Building Records-7 Indian Wells Road
- Ann Marie Russo to Bldg. Dept. Re: All Building Records-67 Indian Wells Road
- Michael Attanasio to Bldg. Dept. Re: All Building Records-102 Harvest Drive
- Jenny Martinez to Bldg. Dept. Re: All Building Records-1806 Village Drive

- Elizabeth Gademan to Bldg. Dept. Re: Building Permit 1926-9 Elmhurst Ave.
- Gjon Karaqi to Bldg. Dept. Re: All Building Records-56 Deans Corner Road
- Gjon Karaqi to Bldg. Dept. Re: All Building Records-53 Friendly Road
- Elsa Ferreira to Bldg. Dept. Re: All Building Records-13 Killian Lane
- Jackie Calhoun to Bldg. Dept. Re: All Building Records-61 Meridian Drive
- Robert Pape to Bldg. Dept. Re: All Building Records-39 Acorn Road
- Karyne Aabel to Bldg. Dept. Re: All Building Records-7 Locust Drive
- Elaine Thomas to Bldg. Dept. Re: All Building Records-21 Maple Drive
- Empire Center to TC Re: All Information/Contracts/Agreements/All Appendices/Salary Grade Tables/Side Letters-CSEA/TOSE Employment/PC Local 840
- Magdalena Pawlowska to Bldg. Dept. Re: All Building Records-15 Nelson Blvd.
- Saile Morales to Bldg. Dept. Re: All Building Records-9 Elmhurst Ave.
- Estelle Silberman to Bldg. Dept. Re: All Building Records-56 Deans Corner
- Anthony Galella to Bldg. Dept. Re: All Building Records-61 Meridian Drive
- Meredith Johnson to Bldg. Dept. Re: All Building Records-39 Acorn Road
- Kate O'Keefe to Bldg. Dept. Re: All Building Records-9 Hillcrest Ave.
- AnnaMarie Russo to Bldg. Dept. Re: All Building Records-67 Indian Wells Road
- Michael Sheil to Bldg. Dept. Re: All Building Records-703 Kensington Court
- Esther Arthur to Bldg. Dept. Re: All Building Records Including Chemical Spills, Asbestos, Radon, Hazardous Materials, & UST-Barret Road & Pugsley Road (Lots 4, 5, 8, 12 & 13)
- Jaclyn Hagey to Bldg. Dept. Re: All Building Records-9 Hillcrest Ave.
- Patricia D'Alesio to Bldg. Dept. Re: All Building Records-61 Meridian Drive
- Donald Curran to Zoning Dept. Re: Zoning Permit for Sign-1559 Route 22
- John Gentile to Bldg. Dept. Re: All Building Records-28 Brewster Woods Dr.
- Filiz Dalo to Bldg. Dept. Re: All Building Records-303 Kensington Ct.
- Alberto Tedeschi to Bldg. Dept. Re: Survey-280 Deans Corner Road
- Marisol Alves to Bldg. Dept. Re: All Building Records-71 Acorn Road
- Ed Scelia to Bldg. Dept. Re: All Building Records-3 Ruby Lane, Carmel, NY
- Ed Scelia to Bldg. Dept. Re: All Building Records-61 Meridian Drive

#### Email

1. PC Sheriff Langley to Supervisor Hay Re: Starr Ridge Road @ Dunkin
2. PC Dept. of Planning & Development to Supervisor Hay, Tom Fenton, Victoria Desidero & TB Re: TOSE with PC MOU-Farrington Road & Route 6
3. Tom LaPerch to NYS DOT, Supervisor Hay, Victoria Desidero, Ashley Ley, & TB Re: Contact Information for Traffic Study Questions
4. TC to Eurotech Re: Copy of Bond
5. Levon Bedrosian, Special Districts to Legals@Lohud & TC Re: NYS DEC Publication-Notice of Completion Application
6. TC to V. Desidero, Planning & B. Colombo Re: Drew Realty/Site One-Bond
7. Highway Superintendent Burdick to Supervisor Hay Re: Damaged Plow Truck
8. Applicant to TC Re: Marriage License Information
9. Supervisor Hay to Putnam County DOH Re: COVID-Supervisor/Mayor Agenda 2-21
10. NYS Building Standards & Codes to M. Levine, Bldg. Dept. Re: Annual Report of Code Enforcement Activities for the TOSE

11. Inquiry to TC Re: Genealogy Information
12. TC to Robert Amatuli Re: Tecton Architects
13. M. Levine to Supervisor Hay & TB Re: Complaint-111 Star Ridge Road
14. TC to Victoria Desidero Re: Permit-Crecco
15. M. Levine to Supervisor Hay & TC Re: NOV-127 Starr Ridge Road
16. M. Levine to Supervisor Hay & G. Schramek Re: Not to be Occupied Order-422 Route312
17. Resident to Supervisor Hay Re: Vaccine at Senior Center
18. NYS DOT to Supervisor Hay Re: Pugsley Road Special Dimension Vehicle Access Highway Designation
19. Levon Bedrosian to TC Re: Proof of Publication
20. Resident to Supervisor Hay Re: Earth Day-Clean Up
21. Olenna Truskett to Supervisor Hay & TB Re: Old Town Hall Maintenance & Repairs
22. Councilman Eric Larca to TB Re: Property on Holmes Road
23. Resident to TC & John Duncan Re: Resident Request
24. Resident to Supervisor Hay Re: Trash & Debris in Neighbors Yard
25. Supervisor Hay to Highway Superintendent Burdick Re: Vaccine Planning
26. Supervisor Hay to Judy Morano Re: Town Board Meeting-3-4-2021
27. Councilman Lord to Ashley Ley Re: Commercial Campus SWPP-DEP
28. TC to BAS Re: Alarm Permit Additions
29. NYS on Pause to TC & Bldg. Dept. Re: Non-Compliance-Local Bar TOSE
30. NYS Decals to TC Re: Decals Password Update
31. Supervisor Hay to TB Re: Carl Albano from Chair of Ag. Board Marjorie Thorpe-Ag. District Inclusion Inspections

#### Correspondence Sent

1. Supervisor Hay to Barbara Barosa, PC Dept. of Planning Re: Route 22 Master Plan
2. TOSE TC to Applicant Re: Disability Permit
3. TOSE to Applicants Re: On-Call Landscape Architect Project
4. Supervisor Hay to L. Zimmer, NYS DOT Re: Commercial Campus at Fields Corner-NYS DOT Designation of Pugsley Road as Special Dimension Vehicle Access Highway
5. Supervisor Hay to James Lansing, NYS DEC Re: Enbridge Stating at TOSE Landfill
6. Supervisor Hay to Harold Lepler Re: Playground Equipment for Pumphouse Road Town Park
7. TOSE to Bibbo Associates Re: Escrow-Alfacor LCC
8. TOSE to B. McGuinness Re: Escrow-TESLA
9. Supervisor Hay to Employee Re: Accident Report
10. Town Clerk to Property Owner Re: Alarm Permit Registration-310 Peach Lake Road
11. TOSE to Property Owner Re: NOV/OTR-110-112 Route 22
12. TOSE to Property Owner Re: NOV/OTR-11 South Road
13. TOSE to Property Owner Re: NOV/OTR-410 Route 312
14. TOSE to Property Owner Re: NOV/OTR-413 Route 312
15. TOSE to Property Owner Re: NOV/OTR-419 Route 312
16. TOSE to Property Owner Re: NOV/OTR-417 Route 312
17. TOSE to Property Owner Re: NOV/OTR-53 Friendly Road
18. Supervisor Hay to H. Inga Re: Liability & Workers' Comp. Insurance-40 Holmes Road

**VOUCHERS**

Supervisor Hay made a motion to approve the Vouchers in the amount of \$1,521,577.48. 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 at 1360 Route 22, Brewster, New York, at 7:00 P.M. unless otherwise noted. Councilman Alvarez seconded. All in favor.

Thursday, April 8, 2021 – Work Session / Regular Meeting

Thursday, April 22, 2021 – Work Session / Regular Meeting

**RESOLUTION NO. 16 / 2021 APPOINTMENT - CONSULTING LANDSCAPE ARCHITECT**

INTRODUCED BY: Supervisor Hay

SECONDED BY: Councilman Alvarez

WHEREAS, the Town of Southeast is in receipt of responses to its duly advertised Request for Proposals (“RFP”) seeking a Landscape Architect to serve as a consultant to the Town Planning / Architectural Review Board; and

WHEREAS, the Town Board has reviewed the proposals submitted and hereby elects to award a contract for such consulting services.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Southeast accepts the proposal of Aspect 120, 90 North Broadway, Irvington, NY 10533, and hereby authorizes the Supervisor to execute a contract with Aspect 120 for such services for an initial term expiring December 31, 2023 and containing the option to extend such contract for two (2) additional one-year periods.

AND BE IT FURTHER

RESOLVED, that this resolution shall take effect immediately.

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

**RESOLUTION NO. 17 / 2021 FOGGINTOWN LLC SETTLEMENT OF CERTIORARI PROCEEDINGS**

INTRODUCED BY: Supervisor Hay  
SECONDED BY: Councilman Alvarez

WHEREAS, a proceeding has been commenced by FOGGINTOWN LLC in NYS Supreme Court under Index No. 500670/2020 challenging the assessed valuation of premises known generally as 300-302 Foggintown Road and 284 Foggintown Road, Tax Map Nos. 35.-1-10 and 46.6-1-39, respectively, for the 2020 tax roll; and

WHEREAS, the Town Board is in receipt of settlement recommendations from the Town's Assessor, Appraiser and Town Attorney with regard to such proceedings.

NOW, THEREFORE, BE IT

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

<u>Petitioner</u>	<u>Tax ID</u>	<u>Year</u>	<u>Assessment</u>	<u>Settled Assessment</u>
Foggintown LLC	35.-1-10	2020	\$502,900	\$430,300
	46.6-1-39	2020	\$256,800	\$219,700

And be it further

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

UPON A ROLL CALL VOTE:

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

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

**MOTION TO ADD RESOLUTION**

Supervisor Hay made a motion to add a resolution to the agenda. All in favor.

**RESOLUTION NO. 18 / 2021 AHANA HOSPITALITY LLC SETTLEMENT OF CERTIORARI PROCEEDINGS**

INTRODUCED BY: Supervisor Hay  
SECONDED BY: Councilman Larca

WHEREAS, a proceeding has been commenced by AHANA HOSPITALITY LLC in NYS Supreme Court under Index No. 500810/2020 challenging the assessed valuation of premises known generally as 7-11 Peach Lake Road, Tax Map No. 68.14-1-30 for the 2020 Assessment Roll; and

WHEREAS, the Town Board is in receipt of settlement recommendations from the Town's Assessor, Appraiser and Town Attorney with regard to such proceedings.

NOW, THEREFORE, BE IT

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

<u>Petitioner</u>	<u>Tax ID</u>	<u>Year</u>	<u>Assessment</u>	<u>Settled Assessment</u>
Ahana Hospitality	68.14-1-30	2020	\$5,000,000	\$4,800,000

And be it further

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

UPON A ROLL CALL VOTE:

- Councilman Alvarez           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 ADD A RESOLUTION TO THE AGENDA**

Supervisor Hay made a motion to add the following resolution to the agenda. Councilman Larca seconded. All in favor.

**RESOLUTION NO. 19 / 2021 ACCEPTANCE OF BID – AWARD OF CONTRACT**  
**BULK CONTAINER REFUSE COLLECTION & REMOVAL SERVICES**

INTRODUCED BY: Supervisor Hay

SECONDED BY: Councilman Larca

WHEREAS, the Town of Southeast is in receipt of responses to its duly advertised Request for Proposals (“RFP”) for Bulk Container Refuse Collection & Removal Services for Town facilities; and

WHEREAS, the Town Board has reviewed the proposals submitted and hereby elects to accept the proposal and award a contract for bulk refuse containers to the lowest responsible bidder.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Southeast accepts the proposal of OAK RIDGE WASTE & RECYCLING in accordance with its proposal for a total fixed price of \$17,665 per year for a period of three (3) years commencing April 1, 2021 and authorizes the Supervisor to execute and deliver a contract, in form and substance approved by the Town Attorney, for such purpose;

AND BE IT FURTHER

RESOLVED, that the Town Clerk is hereby directed to forward a copy of this resolution to the Town Accounting Department and Town Facilities and Special Districts Administrator forthwith.

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

**SUPERVISOR’S REPORT**

One positive note, the Town Attorney had implemented a Plea by Mail when the Courts were closed due to the Corona Virus, so the Court revenue is flowing. The Town has a surplus of 3 million at this time and Highway has a surplus of \$1.6 & 1.3 million. The Highway department is still waiting for the State Budget to pass to know how much they will receive in CHIPS money for the roads.

**PUBLIC COMMENT**

Scott Seaman, member of the Brewster Board of Education, stated that all children with IEP’s are back into school and they are working on Kindergarten through 5<sup>th</sup> grade with masks and dividers. They will be followed by Middle School and High School children. They still have about 25 % that will remain

remote through the end of the school year. The School Board is also working on the Budget and bringing in some resources to help with the learning loss.

### **TOWN BOARD COMMENT**

Councilman Lord asked if the Seniors have been contacted about the opening of the Senior Center at Lakeview Manor. Supervisor Hay stated that he has been in contact with them and hopefully they can start on April 13th with social distancing, masks and temperature checks. He also asked if the Town Could help the CAC and Supervisor Hay stated that we already help them by charging only \$10 a year for rent and charge reduced fees for their utilities. He said that the highway department has a bucket truck and can look at the roof for them. We help the best we can. Councilman Lord then asked about the Ahana Hospitality Certiorari Resolution and if they are on the Pilot program with the County and Supervisor Hay stated not this year, they missed the deadline, but will be next year. Councilman Lord also asked about the Proswing agreement and Town Attorney Stephens stated that he forwarded the contract for the swap of the land to the Town Board, and they can't start with the Planning Board until they are in contract with us. Town Attorney Stephens stated he has worked very hard to make sure there will be no cost to the Town. If the Town Board has any issues that they want to address, let him know ASAP because everything is in limbo until the agreement is signed.

Supervisor Hay asked if we are responsible for any Attorney fees and Town Attorney Stephens stated that he's a salaried employee of the Town and he's providing the legal services.

Councilman Larca stated that Senator Harkham has put forth a bill # 4547 related to assessor dwelling units and other Town Boards have been reviewing it and are not in favor of it. Supervisor Hay stated that all the Town Supervisors are planning to bring something forward.

Councilman Lord stated that Earth Day will be celebrated on April 24 and April 25. Bags, gloves and vests can be picked up at Town Hall between 7 am to 12 noon on those days. Information will be on the Town website.

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

Respectfully Submitted,  
Michele Stancati  
Southeast Town Clerk