

TOWN OF SOUTHEAST
1360 Route 22, Brewster, New York 10509
Thursday, April 25, 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
Councilman Edwin Alvarez – Absent

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

And: 6 Persons

WORK SESSION

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

Discussion – Use of Town Properties

There was a discussion about the use of town properties and for it to be consistent between all buildings. The Town Board is going to look into what is already in place and see what other towns have on the books.

Discussion – Chapter 39 – Alarms

The Town Board is reviewing the Code on alarm permits and will be updating it. There was a discussion about requiring yearly inspections whether it should be for commercial and/or residential. There will be a public hearing on this at the next meeting.

Discussion – Chapter 71 – Blasting Permits

There was a discussion about the proposed changes to the notification distance and whether the definition of explosives should be added.

Discussion – Chapter 131-9 – Parking on Railroad Ave.

There was a discussion about the unofficial parking on Railroad Ave. and adding signs. There will be a public hearing at the next meeting.

Discussion – E Waste

Supervisor Hay stated that he will be attending a Putnam County Shared Services meeting tomorrow to discuss E-Waste. The Town has found a vendor for a good price and this vendor is in the process of being licensed in Putnam County. We're hoping to be open twice a month on a Saturday, about 4 hours each day.

If anyone wants a job for \$15 an hour, please let us know.

REGULAR MEETING

Supervisor Hay made a motion to open the Regular Meeting and waive the reading of the Correspondence. Councilwoman Eckardt seconded. All in favor.

CORRESPONDENCE

Correspondence Received

1. Michael Cunningham to Supervisor Hay Re: Nutrition Program to the Older Americans
2. Edward Martorana to Supervisor Hay Re: Notice of Tentative Special Franchise Full Value
3. Mark Page Jr. to Town Supervisors Re: Watershed Regulations for the Protection from Contamination, Degradation, and Pollution of the NYC Water Supply and Its Sources
4. William Miller to All PC Representatives Re: Flag Day
5. Resident to TOSE Re: Employee Application
6. Timothy Maher to Supervisor Hay Re: Full Value of Special Franchise Property on the Levy Roll at the Reference Roll Level of Assessment
7. NYS Comptroller to Supervisor Hay Re: February 2019 Justice Court Fund
8. Austin Powder to TOSE Re: Notice of Blasting
9. Insurance Services to TOSE Re: Commercial Liability-Marshall Oil Co. Inc.
10. ACORD to TOSE Re: Liability Ins.-Jaclyn Hanna dba Funzone Inflatables
11. Edward Martorana to Supervisor Hay Re: Tentative Telecommunications Ceiling for City and Town Assessment Roll to be Filed in 2019
12. NYS Urban Forestry Council to TC Re: Annual Releaf Conference
13. ACORD to TOSE Re: Liability Ins.-BBL Albany Group V
14. NYS Workers' Compensation Brd. to TOSE Re: Workers' Compensation Ins.-BBL Albany Group V
15. David Chico to Supervisor Hay Re: Municipal Shelter Inspection Report-3/26/19
16. ACORD to TOSE Re: Liability Ins.-Miller Environmental Group, Inc.
17. Greystone Mgmt. Solutions to TOSE Re: Insurance Confirmation-SE Brewster N. & Brewster Station for Commuter Parking

18. Willis Towers Watson Global Certificate Ctr. to TOSE Re: Electronic Distribution for Future Issuances
19. Michael Schaefer to Supervisor Hay Re: Improve Safety on NY 312 at the I-84 Ramps
20. Harold Lepler to Supervisor Hay Re: National Green Sewage Works-Volunteer Park
21. Matt Skane to Kathleen Burgess Re: Comcast Programming Contract Renewal Website
22. Matt Skane to Kathleen Burgess Re: Xfinity TV Updates
23. MaryEllen Odell to Supervisor Hay Re: Waiver Request, Special License-Tilly Foster Farm
24. Jamie Spillane to TC Re: Wandering Dave's Fork in the Road, Inc.-Liquor License
25. NYSIF to TOSE Re: Workers' Compensation Ins.-Black Electric Inc.
26. NYSIF to TOSE Re: Workers' Compensation Ins.-C2G Environmental Consultants LLC.
27. Kenneth Liegner to Supervisor Hay Re: Economic Development, Pawling
28. Erich Valckenaere to Supervisor Hay Re: Rt. 22 Pavement Resurfacing
29. Richard Williams to Tom LaPerch Re: Commercial Campus at Fields Corners a.k.a. Northeast Interstate Logistics Center
30. Sheriff Langley to Daniel Richmond Re: Closing of Pugsley Rd.
31. Louis Picani to TOSE Re: Unfair Labor Practice Charge Against Carmel Winwater
32. U.S. District Court, NY to TOSE Re: Payment Card Interchange Fee & Merchant Discount Antitrust Litigation
33. Heliana Higbie to Supervisor Hay Re: 511NY Rideshare Information
34. U.S. Bankruptcy Court to TOSE Re: 8 Noel Ct.
35. NYS Dept. of Environmental Conservation to TOSE Re: Peach Lake SPDES Discharge Permit
36. LexisNexis to TOSE Re: Ins.-Kuehn Bldg. & Remodeling
37. Andrew Negro to Supervisor Hay Re: Access & Use Agreement-PC Bikeway II Stage 4 Project
38. NYALGRO to TC Re: NYALGRO School
39. Joseph Dillon to Tom LaPerch Re: Commercial Campus at Fields Corner- Draft FEIS Review
40. Jennifer Friedman to TC Re: Complaint on Tentative Special Franchise Full Values-Mt. Ebo American Water/Sewer
41. NYS Comptroller to Supervisor Hay Re: Justice Court Fund-3/19
42. NYSIF to TOSE Re: Workers' Compensation Ins.-Costanzi Crane Inc.
43. NYSIF to TOSE Re: Workers' Compensation Ins.-Folkes Heating, Cooling & Burner Svcs. Inc.
44. ACORD to TOSE Re: Liability Ins.-Clearheart Construction Company Inc.
45. Utica First to TOSE Re: Contractors Policy-Angle Carpentry-Joaquim Peteira
46. Zarin & Steinmetz to Mike Levine Re: Northeast Interstate Logistics Ctr. Campus at Fields Corner

Foils

- Marcie Nolletti to Bldg. Dept. Re: Permits, Violations & Surveys-116 Minor Rd.
- Margot Friedlander to Bldg. Dept. Re: File-301 Foggintown Rd.
- Eileen McGrath to Bldg. Dept. Re: Files-99 Enoch Crosby Rd. & 211 Dingle Ridge Rd.
- Linda Finn to Bldg. Dept. Re: Files-116 Minor Rd. & 23 Bear Berry Ln.
- Michael Bruen to TC – Signed Ethics Policy
- Linda Poray to Bldg. Dept. Re: File-328 Milltown Rd.
- Lesa Vogliano to Bldg. Dept. Re: File-302 Dingle Ridge Rd.
- Stephen Smith to Michele Stancati, (TC) Re: File-820 Rt. 22
- Tom Marchese to Bldg. Dept. Re: Files-252-254 Milltown Rd.

- Mario Dell'Angelo to Bldg. Dept. Re: File-188 Joe's Hill Rd.
- James Borkowski to Bldg. Dept. Re: File-2-12 Castle Hill Ln.
- Tom Basile to Bldg. Dept. Re: File-13 Elmhurst Ave.
- Kevin Joyce to Bldg. Dept. Re: CO's, Permits & Violations-33 Tulip Rd.
- Heather Daffelmeyer to Bldg. Dept. Re: File-91 N. Brewster Rd.
- Lois Diaz to Bldg. Dept. Re: Files-98 Shore Dr., 2539 Carmel Ave. & 91 N. Brewster Rd.
- Arnoldo Salazar to Bldg. Dept. Re: File-91 N. Brewster Rd.
- Taxcerts to Acctg. Dept. Re: Water/Sewer Billing Information
- Henry Cahill to Bldg. Dept. File-49 Settlers Hill Rd.
- Dawn Gambichler to Bldg. Dept. Re: CO's, Permits & Violations-6 Village Dr.
- Grace Vinciguerra to Bldg. Dept. Re: File-92 Cooledge Dr.
- Sharon Sheil to Bldg. Dept. Re: File-211 Dingle Ridge Rd.
- Delica Heramn to Bldg. Dept. Re: Permits & Surveys-2 Ward St.
- Dawn Gambichler to Bldg. Dept. Re: File-604 Village Dr.
- Lisa Tremblay to Bldg. Dept. Re: File-27 Allan Rd.
- Kate White to Bldg. Dept. Re: Permits & Surveys-5702 Applewood Circle
- Maria Viera to Bldg. Dept. Re: CO's, Permits & Surveys-20 Pleasant Dr.
- Julia Cassone to Bldg. Dept. Re: File-10 Farmingdale Rd.
- Len Nicas to Bldg. Dept. Re: File-381 Allview Ave.
- Kate O'Keefe to Bldg. Dept. Re: File-252-254 Milltown Rd.
- Elsa Ferrera to Bldg. Dept. Re: CO's, Permits & Violations-200 Starr Ridge Rd.
- Melissa Cordova to Bldg. Dept. Re: File-63 Knox Rd.
- Lisa Berliner to Bldg. Dept. Re: Survey & Plans-25 Cooledge Dr.
- William Reilly to Bldg. Dept. Re: CO's, Permits & Surveys-39 Indian Wells Rd.
- Andrea Miccanelli to Bldg. Dept. Re: CO's-99 Enoch Crosby
- Kerry DaRos to Bldg. Dept. Re: Files-51 Indian Wells Rd. & 274 Allview Ave.
- Chris LaPorta to Bldg./Plng. Depts. Re: Files-58.-1-42
- Cathy Croft to Plng. Dept. Re: File-Commercial Campus at Fields Corner
- Nanci Kubik to Bldg. Dept. Re: Files-45.12-1-12 & 46.-2-27-902
- Dominick Defelippo to Bldg. Dept. Re: Files-91 Sherwood Hill Rd. & 1 Clematis Rd.
- Josephine Eagan to Bldg. Dept. Re: Files-204 Chestnut Dr.
- Filiz Dalo to Bldg. Dept. Re: CO's-402 Ridgetop Ln.
- Marcie Nolletti to Bldg. Dept. Re: TOSE CO's for AC
- Gary Voorhees to Bldg. Dept. Re: File-24 Elmhurst Ave.
- Dawn Gambichler to Bldg. Dept. Re: Files-399 Tonetta Lake Rd. & 2202 Dunhill Dr.
- Nannette Fransen to Bldg. Dept. Re: CO's, Survey & Permits-10 Merrick Ct.
- Talia Mariella to Bldg. Dept. Re: File-15 Bradford Ct.
- Larry Boudreau to Bldg./Plng. Depts. Re: Files-Joes Hill Estates Subdivision
- James Bacon to TC Re: Opinion Ltr.-Commercial Campus at Fields Corner
- Lisa Berliner to Bldg. Dept. Re: CO's, Survey & Plans-103 Starr Ridge Rd.
- Michele Bortlik to Bldg. Dept. Re: File-39 Farrell Dr.
- John Hogan to Bldg. Dept. Re: File-399 Tonetta Lake Rd.
- Millie Bailey to Bldg. Dept. Re: File-399 Tonetta Lake Rd.
- Linda Finn to Bldg. Dept. Re: CO's, Violations & Septic-1 & 16 Merrick Ct.

- Dawn Gambichler to Bldg. Dept. Re: CO's, Permits & Violations-91 North Brewster Hill Rd.
- Edward McDowell to Bldg./Png. Depts. Re: File-Old Southeast Church, 1664 Rt. 22
- Josephine Eagan to Bldg. Dept. Re: Files-204 Chestnut Dr. & 99 Lakeview Rd.
- Claudia Jiskrt to Bldg. Dept. Re: File-149 Shore Dr.
- Ann Fanizzi to TC Re: Ltr. Zarin & Steinmetz-Campus at Fields Corner
- Kevin O'Donnell to Bldg. Dept. Re: File-63 Knox Rd.
- Lorraine Maag to Bldg. Dept. Re: CO's & Survey-103 Starr Ridge Rd.
- Stephen Abels to Bldg. Dept. Re: File-573 Rt. 312
- John McCarron to Bldg. Dept. Re: File-1481-1485 Rt. 22
- Laura Camerino to Bldg. Dept. Re: CO's, Survey & Violations-30 Larkspur Dr.
- Mark Voto to Bldg. Dept. Re: File-188 Joes Hill Rd.
- Laura Borneman to Bldg. Dept. Re: File-Fortune Ridge

Emails

1. Dennis Santucci to Mike Levine/Mike Liguori/Supervisor Hay/Joe DePaola/John Lord/Jon Lovett/Lynne Eckardt Re: Fence Permit-47.-3-9
2. Lynne Eckardt to Supervisor Hay/Tom Fenton Re: Brewster Heights Drainage Project
3. Mike Miller to Mike Levine Re: Farmers Market Permit Application
4. Resident to TOSE Re: Repaving Pine Tree Ln.
5. Jean Salzarulo to TC Re: Updated Foil Request
6. Resident to Highway Superintendent Mike Bruen Re: Mailbox Repair on Seven Oaks Ln.
7. Gerald Skalaski to Mike Levine Re: Building Dept. Questions for Shady Ln.
8. Supervisor Hay to TOSE Re: SE Solar Project
9. Don van Rhyn to Supervisor Hay Re: SE Solar Project
10. John Duncan to TOSE Re: Bob Palmer Project 2019
11. Resident to Supervisor Hay Re: Junk in Yard-North Rd.
12. Resident to Png. Dept. Re: Interstate Logistics Center
13. Lynne Eckardt to Highway Superintendent M. Bruen Re: 284 Agreement and Uniforms
14. Resident to Supervisor Hay/Mayor Schoenig Re: Brewster Honda Car Alarms
15. Peter Hansen to Barbara Barosa/TC/Cynthia Garcia Re: 530 N. Main SEQR Site Plan Application
16. Resident to TOSE Re: Road Maintenance to Rt. 22
17. Grace Olivier to TOSE Re: 2019 PILOT Internship Program
18. Resident to TOSE Re: E-Waste Issue
19. Bill Richardson to TC Re: 2018 NYC Annual Water Supply and Quality Report
20. Supervisor Hay to Highway Superintendent M. Bruen Re: 284 Agreement
21. LuAnn Edele to Chris DuBois Re: Proclamation Request for Brewster Fire Dept.
22. Highway Employee to Town Board Re: Notice of a Dangerous Practice Accusation
23. Resident to Town Board/Mike Levine Re: Pugsley Rd. Tree Removal
24. Resident to Supervisor Hay/Highway Superintendent M. Bruen/Victoria Desidero Re: Hazardous Roadside Tree
25. Lynne Eckardt to Highway Superintendent M. Bruen Re: Dangerous Practice Accusation
26. Carla Castillo to Patricia Pomeroy Re: Food Scraps Diversion Legislation
27. Supervisor Hay to Lance Macmillan Re: SE Parking Regulations
28. Supervisor Hay to Terry Oliver Re: Waiver Request, Special License-Tilly Foster Farm

29. A. Blowers to TC Re: Genealogy Birth Records
30. Levon Bedrosian to Highway Superintendent M. Bruen Re: Lakeview Manor Parking Lot
31. Resident to Mayor Schoenig Re: Violation of Village Regulations
32. Kenneth Farr to Supervisor Hay Re: Algonquin Gas Transmission Anomaly Digs
33. Stephen Coleman to Ashley Ley Re: SE Planning Board Meeting
34. Resident to Supervisor Hay/Tom Fenton Re: Yard Restoration-41 Bloomer Rd.
35. J. Vayner to Betsy Cerone Re: Marriage Certificate
36. Ken Clair to Supervisor Hay/TC/M. Levine/G. Schramek/J. Hernandez Re: Red Flag Warning
37. Residents to Plng. Dept./Town Board Re: Northeast Interstate Logistics Center
38. Dennis Santucci to Mike Levine/Mike Liguori/Town Board Re: Riding Motocross at Shady Ln.
39. Alessandro Mazzotta to Supervisor Hay Re: E-Waste Bid Results
40. Resident to Supervisor Hay Re: Complaints vs. ATVs Peaking
41. James Bacon to Plng. Dept. Re: Warehouse/Distribution Use in the OP-3 District
42. Alfredo Site Development Corp. to TC Re: Bond Receipt-78.-2-86
43. Will Stephens to Jeremy Fielding Re: TOSE Peddling & Soliciting Chpt. 103
44. Mike Liguori to Supervisor Hay/TC/Will Stephens/Mike Levine/Victoria Desidero Re: Bravcor Access Easement for Stormwater System
45. Ashley Ley to Plng. Dept. Re: Draft FEIS-Commercial Campus at Fields Corner
46. Tom Fenton to Highway Superintendent M. Bruen/Lynn Eckardt/Mike Levine Re: MS4 Annual Report
47. Daniel Richmond to Victoria Desidero Re: Commercial Campus at Fields Corners
48. Warren Lucas to Supervisor Hay Re: NYSE&G Tree Work
49. Mike Bruen to Mike Levine Re: Rt. 312 Illegal Parking
50. Dylan Miyoshi to Supervisor Hay Re: Governor Cuomo's Announcement

Correspondence Sent

1. Levon Bedrosian to Sir/Madam Re: Bid to Provided Hauling & Disposal of Liquid Sludge & Backwash Water Services
2. Tim Froessel to Barbara Barosa Re: GTY NY Leasing, Inc./Mobil Gas Station
3. Supervisor Hay to All Employees Re: Workplace Violence & Sexual Harassment Training
4. Tom LaPerch to ARB Re: NYSEG Dingle Ridge Substation
5. Tom LaPerch to Barbara Barosa Re: NYSEG Parking Area
6. Tom LaPerch to ZBA Re: NYSEG Dingle Ridge Substation
7. Tom LaPerch to Barbara Barosa Re: Las Mananitas
8. Tim Froessel to Barbara Barosa Re: Nikaj Use Variance
9. Mike Levine to NYS of Opportunity Re: Uniform Code Administration & Enforcement Report
10. Mike Levine to Dennis & Kimberley Santucci Re: Fence Application for Shady Ln.
11. Supervisor Hay to All Employees Re: SE Code of Ethics & Financial Disclosure Law
12. Laurie Bell to NYS Taxation & Finance Re: Municipal Report of Special Franchise Activity-Mt. Ebo Water-American Water
13. Supervisor Hay to Whom it May Concern Re: Evening Park Monitor
14. Town Board to Residents Re: (4) Certificate of Merit
15. Supervisor Hay to MaryEllen Odell Re: Request for Waiver-Special License
16. Gerald Schramek to Eric Heinecke Re: NOV/OTR-47.-3-10
17. Mike Levine to Property Owner Re: SWO/NOV/OTR-78.-1-35
18. Gerald Schramek to Property Owner Re: NOV/OTR-56.5-2-20

VOUCHERS

Supervisor Hay made a motion to approve the Vouchers in the amount of \$804,266.87. Councilman Larca 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. All in favor.

Thursday, May 9, 2019 – Work Session / Regular Meeting
- Public Hearing for Chapter 39 Alarm Permits
- Public Hearing for Chapter 131-9 Parking on Railroad Ave.

Thursday, May 23, 2019 – Work Session / Regular Meeting
- Public Hearing for 2019 MS4 Report

BUDGET TRANSFERS

Supervisor Hay made a motion to approve the Budget transfers. All in favor.

RESOLUTION NO. 35 / 2019 ALFACOR LLC - REFUND MAJOR PROJECT FEE

INTRODUCED BY: Supervisor Hay

SECONDED BY: Councilman Larca

WHEREAS, the Town Board has been reconsidering the review fee structure for “major” projects that come before the Planning Board for consideration; and

WHEREAS, while the Town Board was in this process, Alfacor LLC, 291 Deans Corner Road and 14 Fields Lane, Tax Map #78.-2-23 and #78.-2-18 was before the Planning Board seeking site plan approval for its project; and

WHEREAS, in order to move the project along, Alfacor LLC paid the fees in place at the time with an understanding that the Town would recalculate the fee paid if there was an adjustment made to the major project fee schedule; and

WHEREAS, the major project fee schedule was ultimately revised based upon the review and recommendation by AKRF, the Town’s Planning Consultants, and subsequent adoption by the Town Board.

NOW, THEREFORE, BE IT

RESOLVED, that the Town of Southeast Town Board hereby authorizes a refund of fees paid by Alfacor LLC in the amount of \$14,763 calculated as the difference between the original major project fee paid \$35,493.00 and the revised major project fee \$20,730.00

UPON A ROLL CALL VOTE:

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

VOTE: Resolution carried, by a vote of 4, to 0, 0 abstained.

RESOLUTION NO. 36 /2019 LOCAL LAW – CHAPTER 54A “BUILDINGS, NUMBERING”

INTRODUCED BY: Supervisor Hay
SECONDED BY: Councilwoman Eckardt

WHEREAS, a resolution having been adopted by the Town Board of the Town of Southeast for a public hearing to be held by said Town Board to hear all interested parties on a proposed local law which would amend Chapter 54A of the Code of the Town of Southeast, entitled “BUILDINGS, NUMBERING”, to increase the minimum size of house numbers from 3” to 4” to be consistent with the Uniform Building and Fire Code; and

WHEREAS, notice of said public hearing was advertised in an official newspaper of the Town of Southeast in the manner prescribed by law, such public hearing was held on March 28, 2019 and all interested persons were given an opportunity to be heard at that times; and

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

NOW, THEREFORE, BE IT

RESOLVED, the Town Board of the Town of Southeast hereby adopts Local Law No. 2 of 2019 which amends Chapter 54A of the Code of the Town of Southeast, entitled “BUILDINGS, NUMBERING OF”, to increase the minimum size of numbers required to be affixed to structures used to designate the building address; and be it further

RESOLVED, that the Town Clerk be and hereby is authorized and directed to (a) enter said Local Law in the minutes of this meeting and in the Code Book of the Town of Southeast; and (b) give due notice of the adoption of said local law by filing such with the Secretary of State of New York within the time required by law.

UPON A ROLL CALL VOTE:

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

VOTE: Resolution carried, by a vote of 4 , to 0, 0 abstained.

SUPERVISOR'S FINANCIAL REPORT

Supervisor Hay stated that nothing is falling behind, except that the Courts revenue is not where it should be. We are holding our own.

PUBLIC COMMENT

Kathleen McBride wanted to know when the potholes in her neighborhood in Brewster Heights were going to be filled. Councilwoman Eckardt stated as Highway liaison, she would email the Highway Superintendent for her.

TOWN BOARD COMMENT

Supervisor Hay stated that Victor Karlsen from the Brewster Central School District will be attending our next Town Board meeting on May 7, 2019 to discuss the school tax cap and commercial properties. Councilwoman Eckardt reminded the residents that Saturday, April 27 she will be in front of 67 Main St. with gloves, bags and vests for Town Wide Cleanup Day. Councilman Larca also reminded the public that there's a Little League Parade and Bob Palmer Day the same day. Supervisor Hay also reminded everyone that there is still a no burn period in effect till May 16th.

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

Respectfully Submitted,

Michele Stancati
Southeast Town Clerk