

TOWN OF SOUTHEAST
1360 Route 22, Brewster, New York 10509
Thursday, May 23, 2019
EXECUTIVE SESSION 6:30 P.M.
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

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

And: 27 Persons

EXECUTIVE SESSION

Supervisor Hay made a motion to open the meeting and go into Executive Session for a personnel matter. Councilman Larca seconded. All in favor.

Supervisor Hay made a motion to close the Executive Session where no decisions were made. Councilwoman Eckardt seconded. All in favor.

PRESENTATION

Councilwoman Eckardt thanked Studio Around the Corner, and Judy Marano for hosting the Wells Middle School student's art show. She also thanked Rebecca Rabinowitz, Trustee Christine Puccini, Suburban Carting for the supplies and the dumpster, Carl Lebitsch and the Tonetta Heights Association, and Jay Ryan, Rudolph Bruhlmann and the Milltown Road Association.

Councilwoman Eckardt presented the following with Proclamations and/or Awards for all their work:

Irene Othmer – Leading the Earth Day Contest since 2012
Rebecca Loeffel – First Place
Addison Crowley – Second Place
Brianna Franklin – Honorable Mention
Ryan Federico – Honorable Mention
Jay Ryan, Rudolph Bruhlmann and The Milltown Road Association
The Friends of Shore Drive
Karl Lebisch and the Lake Tonnetta Association

PUBLIC HEARING

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

2018-2019 MS4 ANNUAL REPORT

There was no Public Comment.

Councilwoman Eckardt wanted to thank Tom Fenton, Ashley Ley, and Victoria Desidero for all their help with this report.

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

WORK SESSION

Discussion – E Waste

Supervisor Hay updated everyone on the progress of the E Waste program. He stated that the vendor has his permits from Putnam County, they have a license reader, and hopefully it will be opening on June 15, 2019. Everything should be confirmed at the next meeting.

Discussion – Peaceable Hill Water District Audit

Supervisor Hay stated that there was a billing discrepancy in the Peaceable Hill Water District that needed to be resolved to make it fair for everyone. The Town Board will come up with a policy to be consistent with all water districts and sewer districts. There are 9 water districts and 3 sewer districts in the Town.

REGULAR MEETING

Supervisor Hay made 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.-Algonquin Gas Transmission
2. Verizon to TOSE Re: Federal Aid-Local Projects Utility Work Agreement, Welfare Rd. Culvert Replacement
3. Pamela Phillips-Zeller to Supervisor Hay Re: Verify Payroll Records
4. Residents of Panorama Dr. & Manor Way to TOSE Re: Road Conditions
5. Enbridge to Supervisor Hay Re: Survey Permit Authorization-85 Lower Mine Rd.
6. PC Board of Elections to TOSE Re: 2019 Primary Election
7. Commercial General Liability to TOSE Re: General Liability Coverage-Action Fuel Oil Corp.
8. James Bacon to Supervisor Hay/Tom LaPerch Re: Warehouse/Distribution Use in the OP-3 District
9. Senator Harckham to Supervisor Hay Re: Prospect Hill Rd. Traffic and Litter
10. Austin Powder to TOSE Re: Notice of Blasting-70 Holmes Rd.
11. Eric Heinecke to Bldg. & Code Enforcement Depts. Re: Notice of Violations, 4/16/19
12. Residents to TOSE Re: Permission to Enter and Use Property-483 Milltown Rd.
13. Jack Gorton to Supervisor Hay Re: Welfare Rd. Over East Branch Croton River Culvert Replacement Construction Inspection Services
14. Metro-North Railroad to TOSE Re: Construction Advisory
15. Paul Jonke to Supervisor Hay Re: False Alarm Penalty Fee
16. Lisa Johnson to Michele Stancati, (TC) Re: Certificate of Attendance Board of Assessment Review Training
17. Sheriff Langley to Daniel Richmond Re: Pugsley Rd.
18. NYSDOT to TOSE Re: Construction Mgmt. Plan-Welfare Rd. Culvert Replacement
19. James Nixon to Supervisor Hay/Town Board Re: Southeast Museum
20. Orietta Trocard to Supervisor Hay Re: Authorization to Proceed-Construction Phase Activities, Welfare Rd. Over East Croton River Culvert Replacement
21. NYS Comptroller to Supervisor Hay Re: Justice Court Fund-4/19
22. Chad Pirro to Supervisor Hay Re: NYS Economic Development Assistance Program Design and Renovation of the Old Town Hall
23. Tammie Barnhart to Supervisor Hay Re: Community Capital Assistance Program Upgrades, Expansion, Purchase & Installation of Equipment for Volunteer Park
24. ACORD to TOSE Re: Liability Insurance-J&B Installations, Inc.
25. ACORD to TOSE Re: Liability Ins.-TarHeel Roofing, Inc.
26. ACORD to TOSE Re: Liability Ins.-Algonquin Gas Transmission
27. MS4 Permit Coordinator to TOSE Re: MS4 Municipal Compliance Certification Form
28. Anita Gilbert to Supervisor Hay Re: Computation of Underlying and Overlapping Debt
29. Paul Eldridge to Supervisor Hay Re: Sr. Account Clerk
30. Ann Fanizzi to Sheriff Langley Re: Proposed Development of Northeast Commercial Center

31. Mr. Langley to Ann Fanizzi Re: Northeast Commercial Center on Pugsley Rd.
32. ACORD to TOSE Re: Liability Ins.-Burke Electrical Contractors Inc.
33. Mayor Schoenig to Supervisor Hay Re: Notice of Intent to Renew Wells Park Lease
34. Lauri Taylor to Supervisor Hay Re: PC Agricultural District Petition for Inclusion
35. Diane Greenburg to Supervisor Hay Re: Insurance Coverage Review
36. Workers' Compensation Board to TOSE Re: Claim #TST-001-18
37. U.S. Bankruptcy Court of NY to TOSE Re: P. Brady v. TOSE
38. Matthew Giannetta to Supervisor Hay Re: Middle Branch Reservoir Drainage Basin

Foils

- Kevin O'Donnell to Bldg. Dept. Re: Files-067-010-21, 067-010-23 & 067-009-11
- Christine Vasi to Bldg. & Zoning Depts. Re: Files-188 Joes Hill Rd.
- Michael Giustine to Bldg. & Zoning Depts. Re: Files-25 Cooledge Dr.
- Eric Heinecke to Bldg. Dept. Re: Permit for Stonewall-5 Shady Ln.
- Robin Argiriou to File-16 Merrick Ct.
- Dawn Gamichler to Bldg. Dept. Re: Files-91 Brewster Hill Rd. & 10 Nancy Rd.
- Brittany Alvarez to Bldg. Dept. Re: File-5 Paddock Ln.
- Silvia Delgado to Bldg. Dept. Re: CO's, Permits & Violations-13 Highview Terrace
- Peter Levy to Bldg. Dept. Re: File-116 Minor Rd.
- Charyn Watson to Bldg. Dept. Re: CO's & Permits-504 Somerset Knoll
- Dawn Gambichler to Bldg. Dept. Re: CO's, Permits & Violations-5806 Applewood Circle
- Michele Hamburg to Bldg. Dept. Re: CO's, Permits & Violations-188 Joes Hill Rd.
- Vanessa Longo to Bldg. Dept. Re: File-504 Somerset Knoll
- Tim Proctor to Bldg. Dept. Re: File-12 Wetherill Rd.
- Peter Levy to Bldg. Dept. Re: File-116 Minor Rd.
- Julia Cassone to Bldg. Dept. Re: File-333 Rt. 312
- Bryan Farni to Special Districts Re: Birch Hill Water District Info.
- Danielle Witkowsky to Bldg. Dept. Re: File-43 Nancy Ln.
- Alexandria Brown to Bldg. Dept. Re: Violations-10 Nancy Rd.
- Lauren Camerino to Bldg. Dept. Re: CO's & Permits-3404 Morgan Dr.
- AnnaMarie Russo to Bldg. Dept. Re: File-23 Bearberry Ln.
- Helen Scalfani to Bldg. Dept. Re: CO's, Permits & Violations-10 Nancy Rd.
- Ann Fanizzi to TC Re: All Communications Between PC Officials and TOSE Concerning Outdoor Music Events at Tilly Foster Farm
- Kelly Roebuck to Bldg. Dept. Re: File-31 Manor Way
- Tom Sprague to Bldg. Dept. Re: Permits-25 Cooledge Dr.
- Nanci Kubik to Bldg. Dept. Re: File-43 Nancy Ln.
- Peter Levy to Bldg. Dept. Re: File-804 Holly Stream Ct.
- William Reilly to Bldg. Dept. Re: Survey-16 Meola Dr.
- Chris Sudano to Bldg. Dept. Re: File-409 Milltown Rd.
- Luis Diaz to Bldg. Dept. Re: File-20 Pleasant Dr.
- Chris Petti to Bldg. Dept. Re: File-51 South Rd.
- Mike Liguori to TC Re: Complaint at 5 Shady Ln.
- Susan Berman to Bldg. Dept. Re: CO's & Survey-71 Stallion Trail
- Lawrence Mango to Bldg. Dept. Re: File-199-192 Rt. 22
- Dawn Gambichler to Bldg. Dept. Re: CO's, Permits & Violations-402 Ridgetop Ln.
- Lauren Camerino to Bldg. Dept. Re: CO's & Permits-54 Elmwood Dr.
- Dina Bahr to Bldg. Dept. Re: File-20 Pleasant Dr.
- Bobbi Zacchi to Bldg. Dept. Re: CO's, Permits & Violations-9 Carol Ct.
- Carolyn Wachter to Bldg. Dept. Re: File-20 Pleasant Dr.

- Lauren Camerino to Bldg. Dept. Re: File-54 Elmwood Dr.
- Dina Bahr to Bldg. Dept. Re: File-20 Pleasant Dr.
- Dawn Gambichler to Bldg. Dept. Re: CO's, Permits & Violations-4906 Applewood Circle
- Lisa Tremblay to Bldg. Dept. Re: File-5 Tanager Rd.
- Denyce Vedovino to Bldg. Dept. Re: File-2609 Carmel Ave.
- Gina Accurso to TC Re: Kennel Complaint-73 Mountain Brook Dr.
- Mike Liguori to Plng. Dept. Re: Special Permit-24 Deans Corner Rd.
- Lois Diaz to Bldg. Dept. Re: File-104 Welfare Rd.
- Nanci Kubic to Bldg. Dept. Re: File-9 Carillon Rd.
- Angela Bellis to Bldg. Dept. Re: File-702 Village Dr.
- Patricia Wagner to Bldg. Dept. Re: Permits & Violations-174 Rt. 22
- Andrea Miccarelli to Bldg. Dept. Re: File-99 Enoch Crosby
- Kerry Darus to Bldg. Dept. Re: File-274 Allview Ave.
- Katie Kaslyn to Bldg. Dept. Re: Last 3 months-Bldg. Permits
- Brenda Venecyl to Bldg. Dept. Re: CO's, Violations & Surveys-5 Paddock Ln.
- Sarah Totten to Bldg. Dept. Re: File-19 Middlebranch Ln.
- Stephen Herman to Bldg. Dept. Re: File-11 Hill Ln.
- Joseph Link to Bldg. Dept. Re: Files-71, 81, 101, 119 & 133 Maple Rd.
- Dawn Gambichler to Bldg. Dept. Re: Files-56.9-1-4, 56.9-1-5 & 46.-2-55-1206
- Lucille Ettore to Bldg. Dept. Re: File-1105 Scarborough Dr.
- Jeremy Eli to Acctg. Dept. Re: Water/Sewer Billing Info.-45.84-2-19 & 56.16-1-30.2
- Natasha Pazderskaia to Bldg. Dept. Re: File-21 Ridge St.
- Robert Strother to Bldg. Dept. Re: File-1505-1525 Rt. 22
- Merri Gannon to Bldg. Dept. Re: File-17 Karlsen Lake Rd.
- Eric Chung to Acctg. Dept. Re: PO/Vendor Information
- Alicia Yarusso to TC Re: Interstate Logistics Project & Fields Corner Rd. Closure
- Steve to Bldg. Dept. Re: CO's-3 Robin Ln.
- Denise Moccio to Bldg. Dept. Re: File-5 White Lotus Rd.
- David Hovsepian to Bldg. Dept. Re: File-1 Nelson Blvd.
- Alison Kukulka to Bldg. Dept. Re: CO's, Permits & Surveys-87 Lakeview Dr.
- Lauren Camerino to Bldg. Dept. Re: Survey-55 Salmons Hollow Rd.
- Bill Cuellar to Bldg. Dept. Re: Survey-2586 Carmel Ave.
- Julie Ann Coulter to Bldg. Dept. Re: File-1224 Rt. 22

Emails

1. Rosa Conelli to TC Re: PC Tourism-Filming Regulations
2. Bonnie Colombo to David Penny/Lee Wood/TC Re: Revised CO Red Rooster Paperwork
3. Victoria Desidero to Town Board/Plng. Brd. Re: Commercial Campus at Fields Corner
4. Mike Miller to Mike Levine Re: 2019 Farmers Market Revised Layout
5. Leticia Schiano to Sue Tobacco Re: Cameras at SE Parking Lot
6. Resident to Supervisor Hay Re: NYSEG Ground Damage
7. Jon Lepler to Tom Fenton Re: SE Executive Park Field Change
8. Carol Morali to Supervisor Hay Re: MTA 30 Year Parking Agreement
9. Levon Bedrosian to Highway Superintendent Mike Bruen Re: Lakeview Manor Parking Lot
10. Shawn Morse to Mike Levine Re: Sign Application
11. Jennifer Nygard to Supervisor Hay Re: Shared Services Panel Meeting
12. Carol Morali to Supervisor Hay Re: Metro-North Railroad Commuter Parking
13. Victor Karlsson to Town Board Re: Invitation to Community Budget Presentation
14. Supervisor Hay to Town Board Re: Shared Services Meeting
15. Tracey O'Malley to Supervisor Hay Re: Peach Lake Permit Correction

16. Resident to Town Board Re: Maintenance Work Done by NYSEG
17. Richard Levien to Sam Finnerman Re: SE Station Parking
18. Ann Fanizzi to Supervisor Hay Re: Environmental Study for Tilly Foster Farm
19. Charles Silver to Plng. Dept. Re: WIG Technical Comments on Draft FEIS for Northeast Interstate Logistics Ctr.
20. Nicole Avallone to TC Re: Suburban Carting Co., 2013 Mack out of Service
21. Resident to Supervisor Hay Re: PC Rail Trail Trash
22. Tiffany Sand to Town Board Re: T-Mobile's Smart Cities Initiatives
23. Kevin Fitzpatrick to Supervisor Hay Re: MS4 Annual Report
24. Victoria Desidero to Town Board/Plng. Dept. Re: NYS Attorney General Letter, Northeast Interstate Logistics Ctr. & Watershed Inspector General Comments
25. Levon Bedrosian to Supervisor Hay/Will Stephens Re: Lawsuit Claim-45 Hubbard Dr.
26. ARB Member to Laurie Bell Re: ARB Resignation
27. Daniel Richmond to Ashley Ley Re: Oil Tank Dumped on Barrett Rd.
28. Supervisor Hay to Kate Fitzpatrick Re: Senior Account Clerk
29. TC to L. Hoffmann Re: Application for A copy of a record
30. John Lord to Highway Superintendent Mike Bruen Re: Cobb Rd. Signage
31. Betsy Cerone to Mayra Chuni Re: Leaf Bag Pick-Up
32. Beth Green to Supervisor Hay Re: PC Agricultural District 8 yr. Review
33. Highway Superintendent Mike Bruen to Town Board Re: Highway School
34. Resident to Town Board Re: Absentee Ballot Question
35. Jeanne Frey to Laurie Bell Re: Resume
36. Melissa Bailey to TC Re: Genealogy Marriage Copy
37. Supervisor Hay to Aziz Uthman Re: Leaning Pole-Milltown Rd.
38. Resident to Levon Bedrosian Re: Thankful for Peaceable Hill Water Dist. Upgrades
39. Resident to Supervisor Williams Re: Possible Closing of Pugsley Rd.
40. D. Hopkins to Betsy Cerone Re: Genealogy Search
41. M. Bakach to Betsy Cerone Re: Marriage License
42. Supervisor Hay to Todd Westhuis Re: Vacant Lot Located Under Veterans Memorial Bridge
43. Levon Bedrosian to Will Stephens Re: Peaceable Hill Water District
44. Supervisor Hay to Town Board Re: Senator Harkum's Event
45. Supervisor Hay to Lance Macmillan Re: Drainage Issues Rt. 121
46. Resident to TC Re: Marriage Certificate
47. Sandy Hess to Eric Larca Re: Municipality Software
48. Supervisor Hay to James Nixon Re: Southeast Museum
49. Victoria Desidero to TC Re: ZBA Resolution
50. Matthew Giannetta to Supervisor Hay Re: Middle Branch Reservoir Drainage Basin

Correspondence Sent

1. Supervisor Hay to Carol Morali Re: Metro-North Railroad Commuter Parking
2. Tom LaPerch to ARB Re: 577-587 North Main St.
3. Tom LaPerch to Barbara Barosa Re: 577 North Main St.
4. Tom LaPerch to Barbara Barosa Re: Seven Star School of Performing Arts
5. Supervisor Hay to Lance MacMillan Re: Water Run-Off Rt. 121 a/k/a Peach Lake Rd.
6. Supervisor Hay to Senator Harckham Re: Prospect Hill Rd. Traffic and Litter
7. Gerald Schramek to Property Owner Re: NOV/OTR-57.-1-9
8. Mike Levine to Property Owner Re: NOV/OTR-78.-3-26
9. Mike Levine to Property Owners Re: Complaints-45.-2-67 & 59.9-2-1

10. Mike Levine to Property Owner Re: NOV/OTR-57.17-1-5
11. Tom LaPerch to Kyle Ahearn Re: Escrow Account-Batista Southeast Dunkin
12. Tom LaPerch to Daniel Richmond Re: Escrow Account-Commercial Campus at Fields Corner
13. Tom LaPerch to James Hahn Re: Escrow Account-Putnam Business Park Addition
14. Tom LaPerch to Bibbo Associates, Inc. Re: Escrow Account-Southeast Executive Parking Area
15. Chris DeBellis to Property Owner Re: NOV/OTR-67.16-1-5
16. Chris DeBellis to Property Owner Re: NOV/OTR-56.18-2-56
17. Chris DeBellis to Property Owner Re: NOV/OTR-46.-3-20
18. Chris DeBellis to Property Owner Re: NOV/OTR-67.19-1-11
19. Chris DeBellis to Property Owner Re: NOV/OTR-56.20-1-32
20. Supervisor Hay to Todd Westhuis Re: Vacant Lot Located Under Veterans Memorial Bridge
21. Tom LaPerch to Barbara Barosa Re: Durkin Water/Drew Realty
22. Tom LaPerch to Barbara Barosa Re: Nery Special Permit
23. Tom LaPerch to Barbara Barosa Re: Northwood Tree Care
24. Tom LaPerch to Town of North Salem Re: Northwood Tree Care
25. Supervisor Hay to Matthew Giannetta Re: Town Property Adjacent to the Middlebranch Reservoir
26. Gerald Schramek to Property Owners Re: NOV/OTR-68.5-2-23 & 68.18-1-1
27. Chris DeBellis to Property Owner Re: NOV/OTR-69.13-1-27
28. Sue Tobacco to Supervisor Hay Re: North Salem Central School Tax Collection

VOUCHERS

Supervisor Hay made a motion to approve the Vouchers in the amount of \$825,865.02 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. Councilwoman Eckardt seconded. All in favor.

Thursday, June 6, 2019 – Work Session / Regular Meeting

Thursday, June 27, 2019 – Work Session / Regular Meeting

BUDGET TRANSFERS

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

RESOLUTION NO. 39 / 2019 CSEA CONTRACT - AMENDMENT

INTRODUCED BY: Supervisor Hay

SECONDED BY: Councilman Alvarez

WHEREAS, the Town of Southeast and the Civil Service Employee's Association ("CSEA"), Local 1000 AFSCME AFL-CIO has entered into a collective bargaining agreement for a period of years which runs from January 1, 2018 and expires on December 31, 2020 (the "Collective Bargaining Agreement"); and

WHEREAS, the Town and CSEA have identified an amendment which must be incorporated into the existing collective bargaining agreement to add a title / position of "Senior Account Clerk"; and

WHEREAS, the CSEA Local 1000 bargaining unit has met and voted to ratify the amendment to the current Collective Bargaining Agreement.

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized to execute an amendment to the Collective Bargaining Agreement with the CSEA which commenced January 1, 2017 and expires on December 31, 2020 to add a new title / position of "Senior Account Clerk" in form and substance approved by the Town Attorney.

UPON ROLL CALL VOTE:

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

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

RESOLUTION NO. 40 / 2019 ASSESSOR APPOINTMENT

INTRODUCED BY: Supervisor Hay

SECONDED BY: Councilman Alvarez

WHEREAS, upon becoming a Town of the First Class, the Town of Southeast converted from a Board of Assessors system to an appointed "sole assessor" system as provided by Town Law 12(7)(b); and

WHEREAS, the current term of the Town Assessor is due to expire on September 30, 2019.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Southeast hereby appoints

LAURIE BELL

ASSESSOR of the Town of Southeast for a six (6) year term to expire on September 30, 2025 pursuant to Section 310 of the Real Property Tax Law of the State of New York; and be it further

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

UPON A ROLL CALL VOTE:

Councilman Alvarez Aye

Councilwoman Eckardt Aye

Councilman Larca Aye

Councilman Lord Aye

Supervisor Hay Aye

VOTE: Resolution passed, by a vote of 5 , to 0 , 0 abstained.

RESOLUTION NO. 41 / 19 MILAN DRIVE - AUTHORIZING SUPERVISOR TO EXECUTE MEMORANDUM OF UNDERSTANDING

INTRODUCED BY: Supervisor Hay

SECONDED BY: Councilman Alvarez

WHEREAS, the several owners of property abutting Milan Drive (a/k/a Milan Road) have approached the Town to request that Milan Drive be accepted as a Town Highway; and

WHEREAS, Milan Drive was constructed as part of the Terravest International Corporate Park subdivision and provides sole access to several improved lots or parcels of real property; and

WHEREAS, the owners of the lots fronting on or gaining access from Milan Drive have undertaken or will undertake to improve Milan Drive to a level of improvement acceptable to the Town Highway Superintendent and Town Engineer under certain conditions; and

WHEREAS, the owners of such lots are only willing to undertake the expense of improving Milan Drive if the Town of Southeast were to indicate its willingness to accept Milan Drive as a Town Highway once the agreed-upon improvements are completed to the satisfaction of the Town Highway Superintendent and Town Engineer in accordance with a memorandum of understanding to be executed by all interested parties.

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor is hereby authorized to execute and deliver a Memorandum of Understanding (“MOU”) setting forth the terms and conditions under which the Town will accept dedication of Milan Drive, in form and substance approved by the Town Attorney, and to be executed by the interested property owners, including Putnam County, New York State Gas & Electric, Milan Properties, LP and CareMount Medical, PC; and be it further

RESOLVED, that once the terms and conditions of the MOU have been complied with in full, the Town Board shall adopt a resolution accepting the offer of dedication of Milan Drive (a/k/a Milan Road) and shall adopt an order laying out Milan Drive as a Town Highway in accordance with applicable law.

Upon Roll Call Vote:

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

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

RESOLUTION NO. 42 /2019 LOCAL LAW – CHAPTER 39 “ALARM SYSTEMS”

INTRODUCED BY: Supervisor Hay
SECONDED BY: Councilman Alvarez

WHEREAS, a resolution having been adopted by the Town Board of the Town of Southeast for a public hearing to be held by said Town Board to hear all interested parties on a proposed local law which would amend Chapter 39 of the Code of the Town of Southeast, entitled “Alarm Systems” to enhance the Town’s ability to oversee installation and operation of alarm systems; 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 May 9, 2019 and all interested persons were given an opportunity to be heard at that time; and

WHEREAS, it is the sense of this Town Board that the proposed local law will help 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. 3 of 2019 which amends Chapter 39 of the Code of the Town of Southeast, entitled “ALARM SYSTEMS”, to further stream-line and enhance the ability of the Town to regulate Alarm Systems operating within the Town; 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>Aye</u> |
| Councilwoman Eckardt | <u>Aye</u> |
| Councilman Larca | <u>Aye</u> |
| Councilman Lord | <u>Aye</u> |
| Supervisor Hay | <u>Aye</u> |

VOTE: Resolution passed, by a vote of 5, to 0, 0 abstained.

RESOLUTION NO. 43 /2019 LOCAL LAW – CHAPTER 131 “VEHICLES AND TRAFFIC”

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 131 of the Code of the Town of Southeast, entitled “Vehicles and Traffic”, Article II “Parking Standing and Stopping” to establish a No Parking Zone on Railroad Avenue; 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 May 9, 2019 and all interested persons were given an opportunity to be heard at that time; and

WHEREAS, it is the sense of this Town Board that the proposed local law will help 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. 4 of 2019 which amends Chapter 131 of the Code of the Town of Southeast, entitled “VEHICLES AND TRAFFIC”, Article II “Parking Standing and Stopping” to establish a No Parking Zone on Railroad Avenue; 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>Aye</u> |
| Councilwoman Eckardt | <u>Aye</u> |
| Councilman Larca | <u>Aye</u> |
| Councilman Lord | <u>Aye</u> |
| Supervisor Hay | <u>Aye</u> |

VOTE: Resolution passed , by a vote of 5 , to 0 , 0 abstained.

SUPERVISOR'S FINANCIAL REPORT

Supervisor Hay stated that we are 5 months into the year and everything is running normal with the exception of Court revenue. Overtime dropped a bit and in August we will start with Budget talks.

MOTION TO WAIVE THE RULES

Supervisor Hay made a motion to waive the rules to allow the following resolution to be added to the agenda. Councilman Alvarez seconded. All in favor.

**RESOLUTION NO. 44 / 2019 SETTLEMENT OF CERTIORARI PROCEEDINGS
PORTILLO – TAX MAP 56.12-3-36**

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 Portillo, Tax Map No. 56.12-3-36, for the 2017 and 2018 tax rolls; 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 |
|------------|------------|------|------------|--------------------|
| Portillo | 56.12-3-36 | 2017 | \$700,000 | \$700,000 |
| Portillo | 56.12-3-36 | 2018 | \$700,000 | \$550,000 |

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>Aye</u> |
| Councilman Larca | <u>Aye</u> |
| Councilman Lord | <u>Aye</u> |
| Supervisor Hay | <u>Aye</u> |

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

MOTION TO WAIVE THE RULES

Supervisor Hay made a motion to waive the rules to allow an item to be added to the agenda. Councilman Alvarez seconded. All in favor.

Supervisor Hay made a motion to waive the rules to allow the Supervisor to sign the MS4 report and submit it to the State. Councilwoman Eckardt seconded. All in favor.

PUBLIC COMMENT

There was no Public Comment.

TOWN BOARD COMMENT

Councilwoman Eckardt wished everyone a safe and long Memorial Day weekend.

Councilman Alvarez stated the same and mentioned that there will be a Memorial Day Parade on Monday, May 27th, at 10:00 am from the Firehouse to Electrazone Field, with a memorial ceremony to follow. He also asked for a moment of silence to recognize and remember those who have served and are still serving and sacrificed for us. Also, congratulations to Art Hanley, a lifelong resident who served in Vietnam from 1969 to 1972 and was awarded numerous medals, for being inducted to the 40th district NYS Senate Veterans Hall of Fame. Councilman Alvarez reminded the public that the fireworks this year will be on June 30th at the Highlands as usual, going off at 9:30 pm. There will be a DJ this year instead of a band and that will start at 7:30 pm. The committee had money left over from last year, about \$1,200.00, and the extra gets turned over to the following year.

Councilwoman Eckardt asked if the County will be covering the security and Councilman Alvarez stated that he is working with Sheriff Langley and they will be taking care of it. She also thanked Senator Harckham for choosing Art Hanley, someone so well deserved.

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

Respectfully Submitted,

Michele Stancati
Southeast Town Clerk