

**TOWN OF SOUTHEAST**  
**1360 Route 22, Brewster, New York 10509**  
**Thursday, July 9, 2020**  
**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  
Councilman John O'Connor  
Councilman Edwin Alvarez

Also: Deputy Town Clerk Elizabeth Cerone  
Town Attorney Willis H. Stephens Jr.

And: 21 Persons

Supervisor Hay made a motion to open the meeting and began by stating that we are practicing social distancing, limiting attendance and wearing masks. Because we have 3 Public Hearings on the Agenda, if the matter is finished being addressed, we ask if you would please exit in case someone else needs to attend the next Public Hearing.

**PUBLIC HEARING**

Supervisor Hay made a motion to open the Public Hearings and waive the reading of the notices. Councilman Alvarez seconded. All in favor.

**Barrett Hill**

John Bainlardi, representing Barrett Hill, explained that this is a 168-unit, multifamily workforce housing community, coming before the Town Board to request an extension of the Special Permit that was originally granted in December 2017 by the Town Board. They went to The Planning Board and were asked to obtain DEP approval, which took time due to the new regulation changes. They secured that approval in August 2019 and went back to the Planning Board to request this extension. Then due to additional information and concerns of well and water capacity based on DEP information at that time, they worked with American Water which owns the Mt Ebo water system on the wells. In September they provided a letter from WSP, the consultants for Mt Ebo Water and from New York American Water to confirm a redevelopment of existing wells for the Mt. Ebo Water System. WSP also confirmed the compliance with NYSDEC water supply requirements and existing users. New York American Water intends to supply the Barrett Hill development with water from the Mount Ebo Water System and the

drilling of a new supply Well #12. It will be able to meet the maximum daily demand for the existing Mount Ebo water users and the additional Barrett Hill project, and have a supply of excess capacity.

Supervisor Hay stated that the Board doesn't have a lot of questions because this has been going on since 2017 and there has been a public hearing already. The Town Board was advised to have another public hearing once the testing was all done, and therefore the purpose of this hearing. This is an update and the Town Board will vote on the Special Permit at the next meeting.

Supervisor Hay asked if there were any comments. There were no public comments, Supervisor Hay stated it will be on the next meeting agenda on 7/23/20.

Supervisor Hay made a motion to extend written comment for ten days and close the Public Hearing, Councilman Alvarez seconded. All in favor.

Councilman Lord asked Ms. Ley if we are looking to do an extension of the Special Permit. Ms. Ley stated yes, the Special Permit expired during the delay in 2019 due to insufficient water to support Barrett Hill. Ms. Ley suggested they do further well testing. The water issues have been resolved. There are no other changes to the site plan and she stated the Board can now move forward and consider the re-approval of the Special Permit. Councilman Lord asked if there were any other changes since this was a while ago and in front of another Town Board. Ms. Ley stated there are no other changes, they are seeking a Special Permit from the Town Board then will go to the Planning Board for final site approval and then for Architectural Review Board re-approval.

Councilman Lord asked if any other areas or aquifers were being depleted. Mr. Bainlardi stated no, and everything has been approved by the DEC and the Board of Health.

Councilman Larca stated he had 2 questions. How many school children are to come out of the project, and what is the timing or specs on the removal or replacement of Castle Park?

Mr. Bainlardi stated that as a condition of the approval, there were three options which are located in the appendix. There may be cash payment for recreation fees, donation of approximately 40 acres, or \$100,000 to make improvements at the park. That would be granted upon final site plan approval. Councilman Larca asked if there is a plan to replace Castle Park and are there details? Mr. Bainlardi replied that the details are in the plans and drawings, and they are committed to completion.

Supervisor Hay remarked again that we are going to extend the public comment in writing for the next 10 days. He made a motion to close this portion, so moved originally. Councilman Alvarez seconded. All in favor.

### Commercial Shooting Ranges – Chapter 138

Supervisor Hay made a motion to open the Public Hearing on Commercial Shooting Ranges-Chapter 138 and waived the reading of the notice. Councilman O'Connor seconded. All in favor.

Supervisor Hay asked Town Planner Ashley Ley from AKRF to comment on the draft amendment. Ms. Ley stated there is a draft local law in front of the Town Board that proposes to Amend Chapter 138 of the Zoning law. It would add a Shooting Range as a new Special Permit use in a number of commercial districts within the Town. There are a couple of other inclusions including some criteria that would be specific to both an indoor shooting range and separately to outdoor shooting range.

There were some changes in earlier documents with the definitions and deletions made in February 2020. There has been some public comment this week regarding those items and they are no longer included in the draft.

Supervisor Hay stated that he mistakenly picked up the incorrect local law and included it in this agenda, but it has been corrected. The corrected item is updated, has been on the Town website for the past 2 days and it is accurate. Also, back in 2017 there was a comment made that will be read into the record tonight, that there is about change. Back then, shooting ranges were allowed within the Town of Southeast. We all read it. It was changed inadvertently. We are going back to square one. Supervisor Hay stated, we have been honest about this, have had several meetings, and it was on the Feb. 20<sup>th</sup> Work Session. We have the Public Hearing tonight and will consider public comments. I am prepared to make some change to this. We have not been rushed into this. There are no current plans for a shooting range, and it will be on the next work session agenda for 7/23/20. Then after, there will be another Public Hearing advertised accordingly.

Ms. Ley made clear that under the proposed draft of 7/6/2020, a shooting range will not be considered a recreation use, the shooting range has its own definition, will have its own use and only a special permit use in a commercial zone.

Supervisor Hay asked the public to please state your name for the record, and there are also written comments that will be entered into the record. One comment was asked to be read into the record.

Cathy Croft asked Ms. Ley to repeat what she just stated. Ms. Ley repeated that a shooting range would not be a recreational use. Ms. Croft said I am in favor of a shooting range, just not located in every single district. Supervisor Hay said that we will be looking at that also. Ms. Croft printed a map of the Zoning Code. There is nothing in our Zoning Code that allows a Special Permit for shooting ranges in every zoning district. Most everything is around roads. I think looking into an indoor range would be beneficial. I spoke with the Sheriff's Dept. and they need a shooting range, it's understandable. I am just opposed to having one outdoor and close to residential neighborhoods. Supervisor Hay stated he will be looking at that also. If it could be located in a building, it would be the difference. Thank you. Supervisor Hay asked to see the map and she stated you may have it.

Marilyn Miller, resident of Southeast, is a firearms instructor, NRA Certified, and a range safety officer. She stated she received 100's of calls in recent months from new gun owners wanting to learn to shoot and having no place to do it, from mostly women and families. Instead of backyards, where it is allowed within 500ft. of a residence. Shooting ranges are heavily regulated, have strict guidelines and noise abatement. Both new and old gun owners and law enforcement are in need of a public shooting range. I hope you would also include archery, airsoft, lasers and simulators. It would be good recreation for families and would bring an economic benefit to the area. I hope you will vote in favor of this amendment.

David Krebs stated he is here for gun safety. 4 million people have applied for gun permits and 44% are 1<sup>st</sup> time gun owners. Where do they go and how do they learn to shoot? Gun owners need to hone in their skills. As the lady before me said, it is now allowed within 500 ft. of a residence. I believe it would be a positive; economically and safety wise for the community.

Ann Fanizzi, a resident of Southeast, states she is not really interested in the appropriateness of shooting ranges. It is a "recreation" use for many people. However, what she is concerned about is the zoning. There are 10 designated commercial zoning areas for the town. An organization or company can just come into all these commercial areas that abut residential areas. I would not be so critical if it was just indoor. We do presently have an indoor facility in Carmel. Because of another development being

proposed, the building is now looking for a place for another indoor shooting range. It is indoor not outdoor. It is located in a residential community but not outdoor. Some of the restrictions you are attempting to put in place are 6ft walls, hours of operations 7 days a week, 9am to sunset and Sundays 10am to sunset. Anyone who lives near a hunting area or something like that, it's more than irritating. I wouldn't be so critical if the board would have a particular location or zone for indoor. It is also near a business area. And now we have an RC and OP 3 zone. Where is it? On Puglsey Rd. where allegedly a sports complex wants to build. Rumors are circulating that this company, Palladin, wants to probably move there. Their first location was on John Simpson Rd. which is right down the block from me, but maybe that has been reconsidered. Supervisor Hay stated, which also is in the draft in front of you, for that to be reconsidered. Based on what I, and my colleagues received, there will be some changes in it. Ms. Fanizzi, replied that there has to be some drastic changes. I was part of the Comprehensive Plan Committee 5 years ago, and there was no mention of shooting ranges at that time, outdoor or indoor. There was a recommendation in Section 7-3, regarding community character in the neighborhood business communities. Also, in the Comprehensive Plan it was recommended to have a parks and recreation master plan. Is that underway? Before we think of adding other uses, it should all be carefully examined, indoor not outdoor. What will be the impact of living? I live in Hunters Glen. I know when hunting season comes. I'm more than 1000-1350 ft. away. To have a constant gunfire going off, disturbing the peace and quiet of the community. Indoors is another story. Outdoors, you really have to think about the 10 areas, of the impact of the residential and business communities. They are not isolated business districts. They may be isolated from the town, but not large portions of the town. One other thing, fences do not prevent noise of constant shooting I have a huge buffer between me and the hunting area, for the noise. I even think you have to look at the proposed business, even by Special Permit. I have never known Special Permits to be denied. I've been in various towns for almost 20 years and I can't remember a Special Permit to be denied. You really have to think of the community. Have you looked at a particular area? If you give latitude for 10 business districts, for anyone come in to follow the regulations and some of the restrictions, it is not enough. I don't understand why you didn't look at a particular area or district, perhaps designate that. Again, I am not opposed. You should look at certain area. Please reconsider, this is most misguided, I would be very careful. There are certain neighborhoods in business operations areas not in an OP3 area. I really wish you would reconsider especially with the combination of a shooting range on Puglsey, with possibly warehouses, and possibly a sporting complex. That facility in Carmel needs to move. I wish you would reconsider.

David Krebs responded that Ms. Fanizzi brought up shooting ranges that are indoor, and in a building in a residential community. Carmel has outside ranges and they are privately owned shooting ranges. They are in residential areas also.

Ms. Fanizzi replied thank you for adding that, and I can't tell you how many complaints I have received regarding the outdoor ranges and the noise. At one time the residents asked if I could do anything, and that was about a private range. At that time, I don't believe Carmel had a code or has one now.

Alicia Yarusso, stated she's an avid gun owner and has a permit. I am not opposed to the indoor ranges; I am opposed to outdoor ranges. The noise from the outdoor ranges during hunting season, and sometimes not, is astronomical and is not fair to the residents. As far as there is nowhere to go; yes, we have Pawling and there's a police facility and other clubs. You have to drive 10 minutes more. How about a facility not around a residence? The other side of DiCiccio's was proposed commercial, or Independence Way. Again, not near a residential area for the noise. You mention bringing business in and what about the traffic on 312, and the warehouses. That's more traffic being brought in. I received a call and I understand this is pretty much a done deal that Palladin is moving there.

Supervisor Hay states there is nobody, no one that has approached this town about anything. No one that has made an application to this town officially, not to the Planning Board, or for a Work Session.

Nothing. Could it happen? I was on the County Legislature for 19 years and Palladin was mentioned. Ms. Fanazzi mentioned a piece of land off John Simpson Rd., and Tilly Foster Farm was going to be a 100 - acre veteran's cemetery. Maybe Palladin might be there? The rumors have been around for well over a decade. It may go there, it may not. We don't know. Right now, there is nothing.

Ms. Yarusso mentions there are also a number of animals of special concern. Not just with that area, but the sports complex and warehouse. All these other things to be proposed. I'm for the shooting range, but not the noise, traffic, and go-carts. Supervisor Hay stated the go-carts have been stricken. It was an error that was put in. Ms. Yarusso says, I'm not opposed to the gun range. I'm opposed to the noise impact, the additional traffic on that road. Supervisor Hay stated that in 2 weeks- time, you will see another notice posted about much that has been discussed tonight. Ms. Yarusso asked if the traffic will be addressed? Supervisor Hay said we have that discussion tonight on the agenda for Route 22. If approved we are going to look at Route 312 next. We didn't look at it a few years ago because of the big project of Crossroads. We are going to look at it again, but if a person owns land, they are going to want to look into building onto it according to zoning.

Felix Carcano, founder of the Palladin Center in Carmel, stated he came to address a few rumors. Mr. Carcano said yes, three years ago we were talking to the County Executive about John Simpson and Pugsley Rd., before the distillery that may come. Supervisor Hay asked, have you ever been in contact with someone from the Town of Southeast? Mr. Carcano said no. Supervisor Hay said "just so you know folks". Mr. Carcano stated that they have an option to leave Putnam County, to go with another facility, but with the Corona Virus, things have been put on hold and we will be staying put for some time. I am for gun safety, I have had 8 years of extensive training in expert military police and civilian training, we know about gun safety. We know how to contain sound through abatement. Every one of my neighbors on Seminary Hill Rd. has my cell phone number. In the 8 years we have been there, we have had one sound complaint. That was due to a helicopter that scared a dog. I have apologized to the owner and the dog. I have booklets of documentation to give you for safety and noise abatement using the proper mitigation of sound. We know how to contain sound; it can be handled and is fixable. We will be in Carmel for some time. We will help you with any advice if it comes up. Supervisor Hay thanked him for coming and stated, we have been accused of hiding things and you have cleared that up for us. Thank you.

Carla Lucchino, a Southeast resident is in favor of the proposed changes of Chapter 138. In particular, new firearm holders need training for safety. We need more business to attract into our town to reduce taxes. I see it as a huge plus for the town and hope you approve it.

Supervisor Hay stated the following residents requested their letters to be put into the record for comments: Janet Keyes, Barbara Harrison, Bill Josiger, Helen Evers, Margie Vazques, Lynne Eckardt, Jamie Williams Grossman, Eileen McDermott. Ms. Eckardt asked this to be read into the record. Unfortunately, I put up the wrong agenda on day one, there were 2 items that needed to be changed. I put up the wrong version, so we reposted the agenda. We received this letter before the change. So, Ms. Eckardt did not see the reposting and I have been in touch with her to let her know the reposting has been up for 2 days now. Regardless, she asked her letter be read into the record, and I will do that.

Dear Supervisor Hay and Members of the Board,

I hope that everyone is well.

I write to you today to express my concern regarding the proposed zoning code change on shooting ranges and would ask that this letter be read into the record tonight.

Usually when a town code is revised or completely changed there is a reason for this change. And since this specific use on Shooting Ranges was banned as enacted by the Town Board less than four years ago (April 6, 2017) I would have to assume that there is an important reason for this significant change to our zoning code. A clear explanation for this change is an important component to this legislation. For example, is a shooting range proposed for Southeast? There have been rumors of this for years. Even if the plans are tentative it would be helpful for residents to know about any possible shooting ranges that might be planned for Southeast and what location(s) are proposed. If Councilman O'Connor proposed these changes, perhaps he can shed some light on any county plans.

In addition, there should be concerns that much of what was written into the 2017 code has now been removed and has been crossed out. Specifically, under **Section 2. RECREATION: 'Recreation uses shall exclude automotive or go-cart tracks; shooting ranges; amusement parks; and any use of archery equipment; guns weaponry; or similar equipment that would simulate combat including equipment that has the capacity to propel a projectile or emit a light and/or laser.'**

After Board discussions and a unanimous vote in 2017 (this includes votes by two current Board members Supervisor Hay and Councilman Alvarez) it makes no sense to completely eliminate this portion of the code. Especially in light of the problems the town has encountered in regard to motorized vehicle tracks within Southeast. As you know, there are at least three locations where off-road vehicular use has been problematic. Without these protections future applicants might believe that these uses are welcome additions in any Southeast location. These exclusions should be addressed now and incorporated into any code changes.

There are many ways to improve the proposed changes on shooting ranges. One would be to allow only indoor ranges. Southeast is a suburban town where residents work hard to enjoy peace and quiet. Neighborhoods should not be subjected to gunfire noise, because repetitive noise that falls below the accepted decibel level is still disturbing.

Another positive change would be to scale back the number of zones where shooting ranges would be allowable. If outdoor ranges are to remain then the Town Board should study maps and limit these ranges to areas where noise and safety will not be a factor. Outdoor ranges could then be limited to these specific areas.

Finally, the timing on this code change is unfortunate and unfair. If there are no shooting range proposals in the works or even in discussion then there is no reason to rush this code change through the process. There are still many residents who are reluctant to attend gatherings and all residents should be able to attend public hearings without fearing for their health. At the very least the public hearing should be held tonight but extended to a later date so that interested parties on either side of the debate feel comfortable enough to attend and speak.

Thank you in advance for your consideration.

Sincerely,  
Lynne

Supervisor Hay states that in the letter it mentions that if one of our councilmen proposed this change, he may be able to shed some light on any county plans. Supervisor Hay stated that Mr. John O'Connor is a member of the Town Board but works for the County and has a job just like any of us. When he goes to work it's as a County employee. When he comes here, he represents the people of Southeast. If there is something that he is aware of, he is forthcoming. We are hiding absolutely nothing. I thank that gentleman tonight, who spoke earlier and cleared it up. We are not guilty, as charged. One of the first thing I did as Supervisor, was to include a 10-day comment period after the Public Hearings. We listen; I work very hard to put everything into the record. Some of the councilman want to make some changes, the definitions, clarification, and the zones. We take it all into consideration, and I find it very troubling to hear things like that. Again, when I first put it up, I included the wrong one and it was my error. I picked up the wrong one. So tomorrow I will be reposting the whole agenda with the letters tomorrow. Any further comment? So, at this time I am going to make a motion to close this portion and include a 10-day comment period. In 2 weeks, we will have a new document on the agenda. There will be changes made.

Supervisor Hay made a motion to close this portion of the Public Hearing. Councilman O'Connor seconded. All in favor.

#### *Parks and Recreation Advisory Board – Chapter 28*

Supervisor Hay made a motion to open the Public Hearing on Parks and Recreation Board - Chapter 28. Councilman Edwin Alvarez seconded. All in favor.

Supervisor Hay stated that the Recreation Advisory Board goes back to 1988 thru 2007. It was established by Local Law No. 7 in 1992. I got here in 2011 and the Town wanted to put in a spray park. It cost \$500,000 for Wells Spray Park to be put in. Due to limited use and financial costs, I closed the Spray Park in 2013. The Parks and Recreation Advisory Board just really deteriorated. At this point we don't have a lot of money. We have a lot of things happening here. The highway dept. is making a lot of improvements and there is a lot going on and at this point I would like to take the board off the books for now. We will be drawing up a resolution for the next meeting to dissolve and disband the Parks and Recreation Advisory Board.

Councilman Lord asked, would you think to restart the Advisory Board? Supervisor Hay said no, I would like to take it off the books for now. Councilman Lord stated this is a Public Hearing should we open for comments? Supervisor Hay states yes, this discussion is ongoing. Councilman Lord, would anyone like to comment?

Resident Cathy Croft said in 2007 it was reinstated for a proposal to build a Recreation Center. It was later voted on, and there was a referendum to build an enclosed pool for I think 17 million dollars on about 10 acres up Independence Drive. It just died; it was voted down that evening. That was all they were asked to look at. I have lived in this town for over 20 years. Prior to here and where I brought my son up, we had a community pool, a lot of things for the children. Castle Park is in deplorable condition and I don't want it to wait for years. I do think there is room for a Recreation Advisory Board.

Supervisor Hay responded we are doing something about that. If what we do tonight, if it passes, it will go through. Ms. Croft said she didn't want to wait years and stated that after what went into Spray Park, she has all the bills, she was appalled at what was spent for such a small population of interest. All the funds from Campus at Fields Corner went there. There is a need for recreation and we can do better.

Maybe if we had a Recreation Advisory Board, their mission statement can be clearer. Supervisor Hay said once the project died the Recreation Board did. Supervisor Hay stated the town board right now can handle any decisions on recreation. Ms. Croft states the whole county has not one community pool; sorry there is a little one in Putnam Valley. Supervisor Hay states that's part of the problem also. There are many private pools as opposed to community pools. That's another problem too. We provide the lake; can improvements be made? Yes, they can, and it's all about money. When they did that Spray Park they drained all that money from the entire fund. Once we get the check from this project, if it goes through, it will be the first time that any amount of money has come in, in a decade. The problem with that, is we can't do things without money. We do a lot of things in this town. If this project goes through the park will get done. We have a lot of recreation programs that people don't know about. Ms. Croft said that maybe it's the marketing. Supervisor Hay said, if I we had done a swimming pool with a little spray park back then instead it would be thriving now. Maybe one day we will have a philanthropist come in and drop some into our coffers to donate and get it done. Supervisor Hay also states that one of the problems we have here is we have too many mini parks. Most towns don't have three parks. We have Scolpino, Markel, Electrozone and Volunteer parks. If we go up to the park at the beach and that gets done someone else is going to say what about here? We have limited space; how do you play catch-up after all these years? They did something the people wanted and it got done. It was a disaster. Ms. Croft stated she doesn't think the people wanted it, but that's another thing. Supervisor Hay said, we have limited space, but if someone has a proposal we will listen. Ms. Croft says, I do hope Castle Park gets done quickly. It's going to get done, but how quickly? It is a splinter park now. It has to go through the steps for planning, and requirements for materials. Supervisor Hay stated that it may not happen for a few months, but it will be done.

Councilman Larca said maybe we should put in a deadline when it should be done. I have been asked by many parents about Castle Park. Councilman Lord stated he thought that the recreation dept. wanted it for the day camp, but it just wasn't for 5 people. Supervisor Hay said no, the spray park was done and we had an average of 5 kids a day. It was costing us too much money and I had to shut it down. The park was not being used and is closed, it was for everyone, and it turned out to be a disaster.

Resident Anthony Collello applauded the Supervisor and the Town Board for their transparency and for shrinking and not duplicating boards. There is no reason for a recreation board when we have the Town Board. Thank you very much.

Supervisor Hay made a motion to close this portion of the Public Hearing with 10 days for written comment. All in favor Councilman Larca seconded. All in favor.

Supervisor Hay made a motion to move on to the Work Session.

## **WORK SESSION**

### **Discussion – Peddling & Soliciting, Article 1, Chapter 103-1 – 103-5**

Supervisor Hay stated we will be amending the local law on vendor permits and we will be discussing it further at the next meeting on July 23<sup>rd</sup>. It will then be put it up for a Public Hearing, for the second meeting on August 20<sup>th</sup>.

Supervisor Hay made a motion to later set the Public Hearing for Peddling and Soliciting on August 20<sup>th</sup>. Councilman Larca seconded. All in favor.

Discussion – Funding Route 22 Master Plan & Zoning Updates

Supervisor Hay forwarded a proposal to the Town Board from AKRF, Ashley Ley, the town planner. It’s a project outline with a cost estimate of \$19,500.00 for the Route 22 Master and Zoning Plan Update. It will take approximately 6-7 months for public hearings, referrals and analysis. Supervisor Hay states he will be negotiating costs for the study, and will plan on making a motion at the end of the meeting for discussion and putting it on the agenda.

This is something that has been put on hold; it has been 13 years since it was adopted. Route 22 is the beginning of the corridor for the Town of Southeast. We will be looking into adopting a new Route 22 Master Plan due to changes that have been occurring with the Village of Brewster downtown revitalization, NYSDEC wetlands, lack of sewer infrastructure and public opinion.

**REGULAR MEETING**

Supervisor Hay made a motion to go into Regular Meeting. Councilman Lord, seconded it. All in favor.

**RESOLUTION NO. 40 / 2020 STATELINE RETAIL CENTER – RESTAURANT DEPOT BOND ESTABLISHMENT**

INTRODUCED BY: Supervisor Hay  
SECONDED BY: Councilman Alvarez

**WHEREAS**, the Town Board of the Town of Southeast is in receipt of a report and recommendation from the Town Engineer dated July 1, 2020 with respect to the Performance Security in connection with Stateline Retail Center – Restaurant Depot Site Plan (“Applicant”), for the erosion and sediment control measures for the commercial development on property located at US Route 6/202, Southeast Tax Map No. 68.-2-48.1 & 48.2 (the “Subject Premises”).

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the bond amount is hereby established for the project set forth below:

**PROJECT NAME:**

**BOND AMOUNT:**

Stateline Retail – Restaurant Depot Commercial Site Plan	Site Improvements:	\$1,686,000.00
	Erosion/Sediment Control:	\$ 66,200.00

and be it further

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

**UPON A ROLL CALL VOTE:**

Councilman Alvarez        Aye  
Councilman Larca         Aye  
Councilman Lord         Aye  
Councilman O'Connor     Aye  
Supervisor Hay           Aye

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

**RESOLUTION NO. 41 / 2020 EUROTECH CONSTRUCTION 19 SUTTON PLACE**  
**ARCHITECTURAL REVIEW BOARD**

INTRODUCED BY: Supervisor Hay  
SECONDED BY: Councilman Larca

**WHEREAS**, the Town Board is in receipt of a Report of the Architectural Review Board (“ARB”) of the Town Southeast dated June 30, 2020 in connection with the application of Eurotech Construction, which seeks amended site plan approval and re-use an existing commercial building located at 19 Sutton Place, Tax Map ID 78.-2-16.6, including improvements to an existing gravel access way and restoration of an existing soccer field to lawn; and

**WHEREAS**, the Report concludes that the ARB positively recommends the project to the Town Board as proposed; and

**WHEREAS**, the Town Board finds that there is no reason to upset the findings and recommendation of the Architectural Review Board in connection with the instant application,

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board hereby accepts and approves the Report of the Architectural Review Board dated June 30, 2020 in connection with the application of EUROTECH CONSTRUCTION, which seeks amended site plan approval for an existing commercial / recreation facility located 1639 Route 22, Tax Map ID 46.-3-13 to be used as a general business use of; including making improvements to an existing gravel access way and restoration of an existing soccer field to a lawn (a copy of the ARB Review and Report is annexed hereto and made part hereof) and that such Report shall be incorporated in any final Site Plan subsequently reviewed and approved for this project by the Planning Board.

**UPON ROLL CALL VOTE:**

Councilman Alvarez     Aye  
Councilman Larca       Aye  
Councilman Lord       Aye  
Councilman O'Connor   Aye  
Supervisor Hay         Aye

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

**RESOLUTION NO. 42 / 2020 NORTHWOOD TREE CARE 25 FIELDS LANE ARCHITECTURAL REVIEW BOARD**

INTRODUCED BY: Supervisor Hay  
SECONDED BY: Councilman Alvarez

**WHEREAS**, the Town Board is in receipt of a Report of the Architectural Review Board (“ARB”) of the Town Southeast dated June 30, 2020 in connection with the application of NORTHWOOD TREE CARE, which seeks amended site plan approval for an expansion of an existing wood processing business and a soil processing business located 25 Fields Lane, Tax Map ID 78.-2-73; and

**WHEREAS**, the Report concludes that the ARB positively recommends the project to the Town Board as proposed; and

**WHEREAS**, the Town Board finds that there is no reason to upset the findings and recommendation of the Architectural Review Board in connection with the instant application,

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board hereby accepts and approves the Report of the Architectural Review Board dated June 30, 2020 in connection with the application of NORTHWOOD TREE CARE, which seeks amended site plan approval for an expansion of an existing wood processing business and a soil processing business located 25 Fields Lane, Tax Map ID 78.-2-73, (a copy of the ARB Review and Report is annexed hereto and made part hereof) and that such Report shall be incorporated in any final Site Plan subsequently reviewed and approved for this project by the Planning Board.

**UPON ROLL CALL VOTE:**

Councilman Alvarez Aye  
Councilman Larca Aye  
Councilman Lord Aye  
Councilman O’Connor Aye  
Supervisor Hay Aye

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

**RESOLUTION NO. 43 / 2020 PURCHASE HIGHWAY EQUIPMENT**

INTRODUCED BY: Supervisor Hay  
SECONDED BY: Councilman Alvarez

**WHEREAS**, by memorandum dated July 2, 2020 the Highway Superintendent has requested authorization to expend funds to enable the Highway Department to acquire an all-wheel “skid steer” loader; and

**WHEREAS**, it is found and determined that there are sufficient funds available and allocated for the proposed purchase within the 2020 Highway Department Budget and such purchase will not require issuance of bonds or notes for the purchase thereof.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Highway Superintendent is authorized to expend an amount not to exceed eighty thousand (\$80,000) dollars for the purchase of an all-wheel “ski steer” loader;

And be it further

**RESOLVED**, that if the Southeast Superintendent of Highways requires any addition funds above the amount allotted, he will need further authorization by the Town Board to make such expenditure; and be it further

**RESOLVED**, that this resolution shall take effect immediately.

Upon 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.

Supervisor Hay commented, there is a lot of recreation being brought in privately, by businesses coming in. We have “Pro Swing” being proposed. These are things the Town of Southeast cannot afford to do. We don’t have the land, or we just can’t afford to buy the land. When I hear the negative comments that we aren’t doing enough, I think we do a lot, we have to thank those outside agencies that are doing for the town and are contributing. I just want to make that clear for the record.

Supervisor Hay said that over the past six years very little equipment has been purchased for the Town of Southeast. No plans on expenditures. Not much has been done on the roads. We have a new Highway Dept. Superintendent Michael Burdick, who I have to compliment. We do have the funds available since much hasn’t been done in the past six years. Mike will be coming to us during the budget process to keep us informed on spending. We thank you Mike.

The Supervisor also stated that we do have bad news on the Welfare Road Culvert. It was struck by lightning and was damaged, and will be held up for an additional 2-3 weeks. We apologize, but it is beyond our control.

Highway Superintendent, Michael Burdick commented that with the Corona Virus, it was very challenging, it was far worse than a hard winter. He would really like the Town Board and the residents to know that the highway dept. men really pulled together and continued to get things done, and they

really stepped up working 2-3 days on and off. I really wanted everyone know how much they are appreciated.

Supervisor Hay stated that come budget time, Mike will have a plan on spending in the next 6-10 years.

Councilman Lord asked Mike Burdick about Guinea Rd. and painting a center line. Superintendent Burdick replied we usually do that once a year for all the roads. Usually in the fall, due to the high cost of having it done.

#### **MOTION TO APPOINT CHAIRMAN OF ARB**

Supervisor Hay made a motion to appoint Tom Frasca, as Chairman to the ARB board to replace Mary Larkin, a long- time member of the board who is resigning and moving onto a new portion of her life. We thank her for her years of service. We are making a motion to move Tom Frasca forward as chairman of the ARB. We still have one position vacant and we need to fill, so we will be looking for someone.

Supervisor Hay made a motion to appoint Tom Frasca to Chairman of the ARB. Councilman Larca seconded. All in favor.

#### **MOTION TO AUTHORIZE FUNDING FOR A ROUTE 22 MASTER PLAN AND ZONING UPDATE**

Supervisor Hay made a motion to put Funding a Route 22 Master Plan and Zoning Update on the Agenda. Councilman Lord. All in favor.

Supervisor Hay made a motion to negotiate Funding a Route 22 Master Plan and Zoning Update with the Town Planner at a price not to exceed \$19,500. Councilman O'Connor seconded. All in favor.

#### **MOTION TO SET A PUBLIC HEARING**

Supervisor Hay made a motion to Set Public Hearing to amend Peddling & Soliciting, Article I, Chapter 103-1-103-5 for 8/20/2020. Councilman Larca seconded. All in favor.

#### **MOTION TO GO INTO EXECUTIVE SESSION**

Supervisor Hay made a motion at the Conclusion of Recognition of Public and Town Board, to go into Executive Session to Discuss Possible Litigation. Councilman Alvarez seconded. All in favor.

We now move to the comment section. I would like to thank all who attended tonight. This meeting took a lot of preparation to get ready for; setting up seating, and taking temperatures. I'd like to thank all my assistants and Laurie Bell for helping me with that.

#### **PUBLIC COMMENT**

Resident Scott Seaman, member of the Brewster School Board of Education, stated we had our graduation the same night as the school board meeting, so we weren't able to follow up, with Supervisor Hay, Councilman Larca, and the rest of the board. We had our graduation and it was a very monumental

event. Everyone came together, the Town, the Village, and the County. We appreciate the work that went into it. We got the kids graduated and we thank you for all your help.

Thank you all for the budget vote. Right now, currently we are in plans, for reopening the schools. I've been told we are to hear from the Governor's office within the next week. Then we have to submit plans in the next month. Then we will hear back from the Governor's office. Again, we thank you for all the support.

Matthew DeRose stated he notified the town of his homes ongoing water problems that is occurring in his basement. After Supervisor Hay had sent the town Highway Dept. for repairs, and the town engineer for inspection, there are still ongoing problems. Willis Stephens, Town Attorney, advised Mr. DeRose, he could file a Notice of Claim. Supervisor Hay apologized for the problems. He will be sending Highway Superintendent Mike Burdick and Tom Fenton, Town Engineer to his residence to inspect again and write up a report.

#### **TOWN BOARD COMMENT**

Supervisor Hay reminded everyone that due to the July 4<sup>th</sup> holiday there will be no E-Waste drop off. It will be opened this Saturday July 9<sup>th</sup>.

I'm going to make a motion to close this portion of the meeting and go into Executive Session to discuss Litigation. Councilman Alverez seconded. All in favor.

Respectfully Submitted,

Elizabeth Cerone  
Deputy Town Clerk