

TOWN OF SOUTHEAST
1360 Route 22, Brewster, New York 10509
Thursday, July 11, 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

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

And: 3 Persons

PUBLIC HEARING

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

Amend Chapter 138 and Chapter 54 (ZBA appeal of Building Inspector Denial)

Supervisor Hay explained that this amendment would provide a 60 day period of limitation within which an aggrieved applicant may appeal to the Zoning Board of Appeals upon receipt of a denial issued by the Building Department or other administrative or enforcement official.

Councilwoman Eckardt stated that this would be consistent with State Law.

There was no Public comment.

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

WORK SESSION

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

Analysis of Town Water and Sewer Districts

Supervisor Hay thanked Councilman Larca for doing a colored spreadsheet to highlight the discrepancies in the water districts. He said it took about 4 months to put this information together and thanked everyone involved. Supervisor Hay stated that they will have a resolution that will clarify all the costs.

REGULAR MEETING

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

RESOLUTION NO. 49 / 2019 LOCAL LAW – CHAPTER 71 EXPLOSIVES AND BLASTING

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 71 of the Code of the Town of Southeast, entitled “Explosives and Blasting”; 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 June 27, 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. 5 of 2019 which amends Chapter 71 of the Code of the Town of Southeast, entitled “EXPLOSIVES AND BLASTING”; 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 carried, by a vote of 5 , to 0 , 0 abstained.

RESOLUTION NO. 50 /19 NEW YORK STATE ELECTRIC & GAS (NYSEG) - PARKING RESOLUTION ESTABLISHING PERFORMANCE BOND

INTRODUCED BY: Supervisor Hay
SECONDED BY: Councilman Alvarez

WHEREAS, the Town Board is in receipt of a recommendation from the Town Engineer and referral from the Planning Board with respect to the establishment of a performance Bond for the site work associated with the project development plan application of NYSEG, located at 35 Milan Road, (Tax Map. 45.-1-23); and

WHEREAS, upon review of such recommendation and upon the positive referral from the Planning Board dated May 14, 2019, the Town Board agrees to accept this recommendation.

NOW, THEREFORE, BE IT

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

PROJECT NAME:

BOND AMOUNT:

NYSEG PARKING (Tax Map 45.-1-23)	Site Improvements	\$474,000.00
	Erosion & Sediment	\$ 76,000.00

And be it further

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

UPON A ROLL CALL VOTE:

Councilman Alvarez	<u>Aye</u>
Councilwoman Eckardt	<u>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. 51 / 2019 NEW YORK STATE ELECTRIC & GAS (NYSEG)
SUBSTATION 17 BRANCH ROAD 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 July 3, 2019 in connection with the application of NEW YORK STATE ELECTRIC & GAS CORPORATION (NYSEG), which seeks to expand and modify an existing substation located at 17 Branch Road, Tax Map No. 68.-2-8, in the Town of Southeast, Putnam County, New York; and

WHEREAS, the Report concludes that the ARB positively recommends the project to the Town Board on certain conditions; 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 July 3, 2019 in connection with the application of NEW YORK STATE ELECTRIC & GAS CORPORATION (NYSEG), which seeks to expand and modify an existing substation located at 17 Branch Road in the Town of Southeast, Putnam County, New York, subject to the conditions set forth therein, a copy of which 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	<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. 52 / 2019 TOSHIBA BUSINESS SOLUTIONS
AUTHORIZATION TO SIGN CONTRACT**

INTRODUCED BY: Supervisor Hay

SECONDED BY: Councilman Alvarez

WHEREAS, the Town of Southeast has reviewed the State Bids for contract services with regard to providing Copier equipment and services; and

WHEREAS, the Town Board finds that Toshiba Business Solutions has provided the most competitive and comprehensive bid for the copier services that the Town requires.

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor is hereby authorized to execute and deliver to Toshiba Business Solutions for a 60 month program pursuant to State Contract NYSPT66615 in form and substance as approved by the Town Attorney.

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.

RESOLUTION NO. 53 /2019 RESOLUTION TO AUTHORIZE SEEKING FINANCIAL ASSISTANCE FROM THE NEW YORK STATE CLIMATE SMART COMMUNITIES GRANT PROGRAM

INTRODUCED BY: Supervisor Hay
SECONDED BY: Councilwoman Eckardt

WHEREAS, the Town of Southeast hereby requests financial assistance from the New York State Climate Smart Communities Grant Program pursuant to Environmental Conservation Law Article 54 Title 15, and

WHEREAS, the Town of Southeast certifies that it has identified and secured \$250,000 of matching funds from the Town's Budget line item DB5112411 pursuant to the requirements of Environmental Conservation Law Article 54 Title 15.

NOW, THEREFORE, BE IT

RESOLVED, that the Town of Southeast hereby authorizes Victoria Desidero, Secretary to the Planning Board, Architectural Review Board, and Zoning Board of Appeals, an employee, to act on its behalf in submittal of an application through the Consolidated Funding Application for \$250,000, to be used for Cobb Road Culvert Right Sizing.

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 add a resolution to the agenda. Councilwoman Eckardt seconded. All in favor.

RESOLUTION NO. 54 / 2019 MUNICIPALITY - INFORMATION TECHNOLOGY - UPGRADE

INTRODUCED BY: Supervisor Hay
SECONDED BY: Councilman Alvarez

WHEREAS, the Town Board of the Town of Southeast previously entered into an agreement with Software Consulting Associates for utilization of the Municipality Integrated Parcel Management Software; and

WHEREAS, the Municipality software has since evolved to provide greater coverage to service the needs of the Town; and

WHEREAS, it is the sense of this Town Board that an upgrade of the Municipality Program will enhance the services to the Public and streamline the integration of data and information throughout the Town's various departments.

NOW, THEREFORE, BE IT

RESOLVED, the Town Board hereby accepts the proposal of Software Consulting Associates for its Municipality 5 Integrated Parcel Management Software; and be it further

RESOLVED, that the Supervisor is hereby authorized to enter into any and all contracts, agreements or other documents as may be necessary and appropriate all in accordance with the specifications and scope of work set forth.

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.

PUBLIC COMMENT

There was no Public Comment.

TOWN BOARD COMMENT

Supervisor Hay stated that the Welfare Rd culvert won't be finished until 2020, we're waiting for the culvert to be manufactured.

Councilman Alvarez thanked everyone who attended the fireworks, the committee, first responders, the sponsors, and everyone who helped out. He also wanted to remind the public that the fireman's parade is next Thursday, July 25, at around 6:30 PM.

Councilwoman Eckardt stated that the County Legislators were singing the praises of the fireworks event, it was well done, and thanked Law Enforcement for their help. Councilwoman Eckardt also thanked the public for their patience with the E Waste situation. There were 44 residents the first week it opened and 52 the second time. The Container is 3/8 full. The Supervisor thanked the Town Board and Town staff involved for all their help, and the public for their cooperation. The next day the E Waste will be open is August 3rd from 10 am to 2 pm.

Supervisor Hay also asked the public to make sure their house numbers are visible for 911 emergencies and their own protection.

Respectfully Submitted,

Michele Stancati
Southeast Town Clerk