

Town of Southeast
1360 Route 22, Brewster, New York 10509
Thursday, July 28, 2022
EXECUTIVE SESSION 6:30 P.M.
Regular Meeting / Work Session 7:00 P.M.

Pledge of Allegiance
Notation of Exits
Turn off/put on vibrate – all electronic devices

8 Persons

Present: Supervisor Tony Hay
Councilman Edwin Alvarez
Councilman Eric Cyprus
Councilman Eric Larca
Councilman John O'Connor

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

EXECUTIVE SESSION

Supervisor Hay made a motion to open the Meeting and go into Executive Session for Contractual and Litigation Matters. Councilman O'Connor seconded. All in favor.

Supervisor Hay made a motion to take a recess from the Executive Session where no decisions were made and resume the session after the regular meeting. Councilman Larca seconded. All in favor.

PUBLIC HEARING

Supervisor Hay made a motion to open the Public Hearing for Saw Mill Wood Processing and waive the reading of the Public Notice. Councilman O'Connor seconded. All in favor.

Special Permit for Saw Mill Wood Processing at 20 Branch Rd

Todd Atkinson from Folchetti and Associates is representing the Tremblay family for 20 Branch Road. It's part of the Tremson property that abuts the reservoir on the north side, DEP property on the west side,

warehouse on the east side and wood processing on the south side. It's a 4 ½ acre property with a 55 sq ft warehouse building. In the last 5 years the property was used as an overflow stock pile for wood brought in from the area after storm events. They are seeking a Special Permit for that area.

Supervisor Hay asked if Mr. Atkinson could point out the area on the map and he did. He also explained that there is a ridge that blocks the view of the area from Branch Rd and Route 6.

Supervisor Hay asked if these are all one project and Mr. Atkinson stated no, they are separate and the rest are already pre-existing, non-conforming. The Supervisor asked if we are discussing the one in the back and Mr. Atkinson responded yes. He also asked if they had permission to use the property as an overflow and Mr. Atkinson replied no, they were cited and that's why they are working with the Planning Board for an amended site plan approval and are here for a Special Permit. Supervisor Hay asked how big an area it is and Mr. Atkinson responded that it's .92 acres, less than a quarter of the lot and we've already received zoning variances. Supervisor Hay asked if there is a maximum height for stacking on that one side and Mr. Atkinson stated he believes so. Supervisor Hay asked if there are still problems with the property down below and Mr. Atkinson stated that he believes that there potentially are, but he's not involved with that.

Councilman Cyprus asked if the property will just be used for processing and Mr. Atkinson stated yes, and grinding. Councilman Cyprus asked if it was previously just storage and Mr. Atkinson stated yes. Councilman Cyprus then asked if the site has been cleaned to clear the violation yet and Mr. Atkinson stated that he believes it has been. There have been no further violations. Councilman Cyprus stated that we can't approve something that has a violation and Mr. Atkinson stated that we can't clear it up until we get Planning Board and Town Board approval. Councilman Cyprus stated that they will check on it.

Councilman Larca asked what the height was and Mr. Atkinson stated he believes it's under 20 ft. The max feet in that zone is 30 feet and the Planning Board has determined it should be less than 20 ft.

Councilman Cyprus stated that he believes they said 20 ft for safety reasons.

Mr. Atkinson stated that in the final site plan approval from the Planning Board it's contingent on receiving Town Board approval and there are other contingencies in there.

Resident Peter Bell stated that there is always a truck selling mulch on the property and asked if it is associated with the processing? Mr. Atkinson stated that he's not sure but he believes that is DOT property.

Supervisor Hay stated he is not happy with what has been going on out there, it's been going on for a long time.

Supervisor Hay made a motion to keep the Public Hearing open for written comment only for 10 days. Councilman Cyprus seconded. All in favor.

WORK SESSION

Nothing at this time.

REGULAR MEETING

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

CORRESPONDENCE

Supervisor Hay made a motion to waive the reading of the Correspondence and Councilman Cyprus seconded. All in favor.

Correspondence Received

1. Acord Insurance to TOSE Re: Certificate of Liability Insurance-Eran, Ltd. dba Mad Science of the Mid-Hudson
2. NYS Workers' Comp. Board to TOSE Re: Certificate of NYS Workers' Comp. Insurance Coverage-Vin Van Vic Inc.
3. Sterling Environmental Engineering, TOSE to NYS DEC, D. Pollock Re: TOSE Landfill/Algonquin Gas Transmission
4. Comcast to TOSE Re: Programming Advisory
5. TC to E. Crawley, Brown & Brown Re: Accident Claim-TOSE
6. Brewster Central School District to TOSE Re: Proposed Capital Improvement Project-SEQRA Notice
7. Insite Engineering to TOSE TC Re: Application for a Zoning Change-40 Guinea Road
8. NYMIR to TOSE Re: Closure of Claim; Date of Claim 05-23-22-File#TSOUT-2022-001-001
9. Association of Towns to TC Re: 2022 Fall Planning & Zoning Schools
10. Geico General Insurance Company to TOSE Re: Accident Claim
11. AKRF to TOSE, Insite Engineering, Surveying & Landscape Architecture Re: EE Brewster Application
12. Aventine Properties LLC to TOSE Re: SCAR Petitions-55 Salmons Hollow Rd., 12 Ailish Lane, 39 Tonetta Lake, 431 Tonetta Lake Rd., 33 Leona Dr., 99 Enoch Crosby Rd., 15 Tea House Lane, 203 Allview Ave., 237, Allview Ave., 88 Carriage Hill Rd., 106 Carriage Hill Rd., 11 Ruby Lane, 333 Turk Hill Rd., 10 Knoll Ridge Court, 85 Coventry Lane, 91 Seven Oaks Ln., 38 Stallion Tr., & 31 Stallion Tr.
13. Herman Katz Wilkes & Clyne, LLP to TOSE Re: Petitioner-Brewster Square 2503-2505 Carmel Ave.
14. Sterling Environmental Engineering to TOSE Re: TOSE Landfill-2022 Annual Post Closure Monitoring Report
15. NYS Division of the Budget to Supervisor Hay Re: American Rescue Plan Act (ARPA) Payments
16. Acord Insurance to TOSE Re: Certificate of Liability Insurance-Nexius Solutions Inc.
17. Snyder & Snyder, LLP to T. LaPerch, PB & TOSE Re: Comments on Brewster Yards (a/k/a Proswing) Project by Hunter's Glen Master Association
18. AKRF to TOSE PB Re: Bisesar Residence
19. LexisNexis/FIRSt Re: Kuehn Building & Remodeling LLC
20. G. Bagen to Highway Superintendent Burdick Re: Hazardous Dead Tree on Starr Ridge Road
21. PC Board of Elections to TC Re: New Board of Elections Commissioner - Kelly Primavera
22. Carmel Town Clerk, Ann Spofford to TOSE Re: Town of Carmel Comprehensive Plan – Draft
23. Geico, Pam Miller to TOSE Re: Notice of Claim – Penzo/TOSE Auto Accident

24. O'Donnell & Cullen Property Tax Consultants Re: SCAR Petitions – 344 Peach Lake Rd,15 North Hollow Rd., 114 Harvest Dr.
25. Accord Insurance to TOSE Re: Certificate of Liability Re: Soiltesting Inc.

FOILS

- Bobbi Zacchi to Bldg. Dept. Re: All Building Records-2 Townsend Lane
- Stephanie Fox to Bldg. Dept. Re: All Building Records-47 Shore Drive
- Mark Pinzur to Bldg. Dept. Re: All Building Records-56 Carriage Hill Road
- Mark Pinzur to Bldg. Dept. Re: All Building Records-2201 Dunhill Drive
- Janice Swerdloff to Bldg. Dept. Re: All Building Records-175 Starr Ridge Road
- Monica Marsich to Bldg. Dept. Re: All Building Records-2301 Martingale Drive
- Mario Sclafani to Bldg. Dept. Re: All Building Records-7 Clematis Road
- Lynn Specker to Bldg. Dept. Re: All Building Records-102 Seven Fields Lane
- Stacey Cronin to Bldg. Dept. Re: All Building Records-16 Friendly Road
- Idilcia Aracena to Bldg. Dept. Re: All Building Records-12 Acorn Road
- Maureen Gomez Pellicer to Bldg. Dept. Re: All Building Records-12 Acorn Road
- Stefanie Sheng to Bldg. Dept. Re: Copies of All Open/Active Violations, Associated Liens & Unpaid Invoices with Payoff Amounts-51 Sherwood Hill Road
- Dave Diedrich to Bldg. Dept. Re: All Building Records-105 Deans Corner Road
- Clayton Livingston to Bldg. Dept. Re: All Building Records-62 Hickory Drive
- Jason Martinez to Bldg. Dept. Re: All Building Records-349 Gage Road
- Stacey Cronin to Bldg. Dept. Re: All Building Records-1515 Route 22
- Suzanne Shilling to Tax Receiver & Bldg. Dept. Re: All Tax & Building Records-1601 Scarborough Drive
- Heyddi Abreu to Bldg. Dept. Re: Floor Plans & Survey-1 Fair Meadow Drive
- Gerald Skalaski to Bldg. Dept. Re: All Open Permits, Construction Plans, Survey, Fence Height, Property Line Setback & Wetland Review-5 Shady Lane
- John Weiss to Bldg. Dept. Re: All Inspection Reports, Permits, C of O's & Fees Paid by Heritage Management LLC for Roof & Blacktop Projects-Hunters Glen
- Laura Burr to Bldg. Dept. Re: All Building Records-10 Drovers Lane
- Juliana Galeno to Bldg. Dept. Re: All Building Records-105 Deans Corner Road
- Nicholas Turner to Bldg. Dept. Re: Open Permits & Violations-29 Maplewood Drive
- Debbie Felton to Bldg. Dept. Re: All Files Pertaining to-75 Nichols Road, 176 Nichols Road, 234 Nichols Road, 170 Peach Lake Road & 75 Dingle Ridge Road
- Cory Johnson to Bldg. Dept. Re: All Building Records-25 Hickory Drive
- Jill Abolt to Bldg. Dept. Re: All Building Records-144 Turk Hill Road
- Linda Finn to Bldg. Dept. Re: All Building Records-6 Meridian Drive
- Linda Finn to Bldg. Dept. Re: All Building Records-40 Kirkham Road
- Sharon Sheil to Bldg. Dept. Re: All Building Records-178 Shore Drive
- Kate White to Bldg. Dept. Re: All Building Records-6 Aspen Court
- Jocelyn Sarro to Bldg. Dept. Re: All Building Records & Septic Plans-12 Beryl Court
- B. Santucci to TC Re: All Communication between J. Skalaski, DEC/Wetlands, & Supervisor Hay/All Documents from J. Skalski, 1, 3, 5, & 7 Shady Lane Past 3 weeks
- Nancy Ogilvie to Bldg. Dept. Re: All Building Records-31 Stonehollow Drive
- Kerry DaRos to Bldg. Dept. Re: All Building Records-239 Gage Road

- Ann Hoffman to Bldg. Dept. Re: Survey & Septic-63 Garrity Blvd.
- Devon Degen to Bldg. Dept. Re: Survey-189 Brewster Hill Road
- Alexis Ann Malsbury to Bldg. Dept. Re: All Building Records for Both Homes on Property-105 Deans Corner Road
- Anton Rukaj to Bldg. Dept. Re: All Building Records-2 St. James Place
- Dean Dignelli to Bldg. Dept. Re: All Building Records-341 Route 22
- Charles Carr to Bldg. Dept. Re: All Building Records-440 Milltown Road
- John Hogan to Bldg. Dept. Re: All Building Records-3 Locust Drive
- Stacey Cronin to Bldg. Dept. Re: All Building Records-100 Federal Road
- Jazmin Williams to Bldg. Dept. Re: All Records Regarding Fire-204 Apple Tree Lane
- Stacy Cronin to Bldg. Dept. Re: All Building Records – 105 Federal Hill Road
- Nancy green to Bldg. Dept. Re: All Building Records – 121 N. Brewster Road
- Ann Hoffman to Bldg. Dept. Re: All Building Records - 63 Garrity Boulevard
- Bill Dean to Bldg. Dept. Re: Floor Plan – 343 Starr Ridge Road
- William Trabulsky to Bldg. Dept. Re: As Built Survey - 1559 NY- Route 22
- Elaina Artiaga to Bldg Re: All Building Records – 1553 Route 22
- Devon Degan to TC Re: Foil Follow Up – 189 North Brewster Road

Email

1. VOB TC to TOSE TC Re: Peddlers Permit-Pest Control
2. G. Skalaski to M. Levine, TB & C. Robbins, AKRF Re: Work on Wall-5 Shady Lane
3. Sterling Environmental to Supervisor Hay & Metro-North Railroad Re: Metro-North Railroad Crossing Algonquin Pipeline TOSE Landfill Completion Letter
4. Councilman Larca to PC Dept. of Planning & Transportation Re: FOIL Request-Study Performed by AKRF on Danbury Rail Link Between Danbury & TOSE
5. B. Lambertus to TC Re: Reschedule of Review of Building Plans-60 Peter Road
6. B. Schwartz to Supervisor Hay Re: ARPA Funding Request to PC
7. Councilman Cyprus to M. Levine, T. LaPerch, T. Fenton, TB & Supervisor Hay Re: Site Plan Default -1617 Route 22
8. E. Crawley, Brown & Brown to TC Re: Accident Claim-TOSE
9. Resident to Supervisor Hay, Highway Superintendent Burdick, & TB Re: Speeding Cobb Road
10. Resident to Supervisor Hay Re: Gas Stations
11. L. Bedrosian to TB Re: Surpass Chemical Dosing Letter-Brewster Heights Water District
12. Inquiry to TC Re: Marriage License Appointment
13. Supervisor Hay to TB Re: New Contact Info for Metro-North
14. TC to Putnam Press Re: Billing Address Correction
15. M. Levine to J. Skalaski Re: FOIL-5 Shady Lane
16. Supervisor Hay to C. Swansen, NY DEC Re: Possible Wetlands Infringment-5 Shady Lane
17. Olenna Truskett to Supervisor Hay, TB & Kathleen Abels Re: Round XII CFA Grant Monies-Request for Support Letters & Town Resolutions
18. Resident to Councilman Larca, TB, Special Districts & W. Bright Re: Brewster Heights Water
19. Councilman Larca to M. Levine & TB Re: Complaints-260 North Brewster Road
20. Ameresco to Supervisor Hay, TB & W. Stephens, TA Re: Ameresco Lower Mine Road Solar PV Contract
21. NYS DOT to Supervisor Hay & VOB Mayor Schoenig Re: Gov. Hochul Announces Completion of Two Bridge Replacement Projects-VOB Route 6 Bridge

22. Councilman Larca to M. Levine Re: Property Maintenance-111 North Brewster Road
23. Comcast to TOSE Re: Program Advisory
24. NYMIR to TOSE Re: Harassment & Discrimination Annual Training Webinar
25. PW Scott to TC Re: TB Resolution-Landscape Concepts Bond
26. A. Campanaro, Southeast Museum to TC Re: Southeast Museum & Brewster Public Library Summer Program Fun
27. M. Levine to G. Skalaski & TB Re: Wall/Property Line-5 Shady Lane
28. Debbie Felton to TC, Planning Dept. & Bldg. Dept. Re: 234 Nichols Road Parcels
29. Supervisor Hay to L. Bedrosian Re: Resident Complaint of Brewster Heights Water
30. S. Price to TC Re: Commercial Alarm Permit-31 Sodom Road
31. Inquiry to TC Re: Marriage License Appointment
32. Britney Lambertus to TC & Bldg. Dept. Re: Appointment to View Building File-60 Peter Road
33. Folchetti & Associates to Supervisor Hay & TB Re: Request for Special Permit-20 Branch Road
34. N. Tomann, PCSWCD to Supervisor Hay, T. Fenton, TB & Superintendent of Highways M. Burdick, Re: MS4 Mapping/Letter of Support Request from PCSWCD
35. Resident to Supervisor Hay Re: Discoloration of Water-Mountain Brook Water District
36. M. Levine to T. LaPerch Re: Action Plan Regarding Property at 1651 Rt. 22
37. Supervisor Hay to TB Re: Invitation to Event at Brewster Elks Lodge for Putnam Residents with Disabilities
38. Resident to Supervisor Hay, TB & Highway Superintendent Re: Traffic on Brewster Hill Road
39. TC to Property Owner Re: TOSE Alarm Permit-31 Sodom Road
40. J. Sarro to TC Re: Email of FOIL Request
41. Supervisor Hay to TB Re: Insurance-Vails Grove Catch Basins
42. Supervisor Hay to TB, Highway Superintendent & Suburban Carting Re: Earth Day 2022
43. Laurie Bell to Willis Stephens, TA, Supervisor Hay & TC Re: Town Code Historic Sites Section Needing Corrections
44. Supervisor Hay to Metro North RR Re: Southeast Station Lighting & Maintenance
45. G. Skalaski to TB Re: Fence Construction
46. B. Colombo to TB, TC, Planning Dept. Re: SWO Fence – 5 Shady Lane
47. Supervisor Hay to B Colombo, TB, M Stancati, V. Desidero Re: 5 Shady Lane
48. Supervisor Hay to G. Skalaski Re: Fence Construction
49. Olenna Truskett, TOSE CAC to Supervisor Hay Re: Grant Application to OPRHP/Requesting Letter of Support
50. Ravi Gopaul to TC Re; Social Security Adm. – Internet SSN Replacement Card Publications
51. Town Clerks Association to TC Michele Stancati Re: E-Code Training

Correspondence Sent

1. TOSE TC to Inquiry Re: Genealogical Death Certificate-Form of Incorrect Payment
2. TOSE TC to Resident Re: Updated Rabies Certificate Needed
3. TOSE to Property Owner Re: NOV/OTR-23 Brewster Woods Drive
4. TOSE to Property Owner Re: NOV/OTR-1205 Eagles Ridge Road
5. TOSE to Property Owner Re: NOV/OTR-244 North Brewster Road
6. TOSE to Property Owner Re: NOV/OTR-2 Garden Street
7. TOSE to Property Owner Re: NOV/OTR-357 Tonetta Lake Road

8. TOSE Code Enforcement to Property Owner Re: Complaint/Appearance Ticket-357 Tonetta Lake Road; 1617 Rt. 22; 1651 Rt. 22; 20 Brush Hollow Road; 10 Brush Hollow Road; 38 Argonne Road & 260 North Brewster Road
9. TOSE PB to Peder Scott Re: Escrow Account-WDesigne
10. Supervisor Hay to NYC DEP Commissioner Re: TOSE Request for Land Use Division/Easement to Run Power on DEP Property to Re-Erect BFD Sign
11. TOSE PB to PW Scott Re: Escrow Account-Landscape Concepts
12. TOSE to R. Culhane, Metro-North Commuter Railroad Re: Invoice to Metro-North For 2021 O & M Expense at Brewster Heights Waste Water Treatment Plant
13. Jacobsen to TOSE PB Re: Application for Site Plan Approval-EE Brewster, LLC
14. Jacobsen to TOSE PB Re: Final Site Plan Approval-Guardian Veterinary Specialists
15. TOSE TC to Property Owner Re: Alarm Permit Request-115 Independent Way
16. TOSE to Property Owner Re: NOV/OTR-1545-1547 Route 22
17. TOSE Bldg. Dept. to Property Owner Re: Denial of Building Permit-188 Joe's Hill Road
18. TOSE Bldg. Dept. to Property Owner Re: NOV-1105 Village Drive
19. Supervisor Hay to Councilwoman Sue McDonough Re: Veteran's Banners
20. TOSE to Property Owner Re: NOV/OTR-1591-1595 Route 22
21. TOSE to Property Owner Re: NOV/OTR-399 Tonetta Lake Road
22. TOSE to Property Owner Re: NOV/OTR-15 Old Farm Lane
23. TOSE to Property Owner Re: NOV/OTR-3651-3659 Danbury Road
24. TOSE to Property Owner Re: NOV/OTR-131 North Brewster Road
25. TOSE to Property Owner Re: NOV/OTR-380 Brewster Hill Road
26. TOSE to Property Owner Re: NOV/OTR-5 Old Doansburg Lane
27. Supervisor Hay to Property Owners Re: Cobb Road Culvert Replacements-11 Peach Brook Lane, 68 Cobb Road, 81 Cobb Road & 71 Cobb Road
28. TOSE Planning Board to PC Dept. of Planning & Development Re: Application for a Site Plan-EE Brewster, LLC
29. TOSE Plnng Bd. to Brewster Yards aka/Proswing Re: Escrow Account
30. TOSE Bldg. Dept. to Property Owner Re: Stop Work Order/OTR – 5 Shady Lane
31. Supervisor Hay to NYS DEC, Commissioner Basil Seggos Re: Support of Town of Somers Application for WQIP Funds – Jet/Vac Truck
32. Supervisor Hay to Residents of Springhouse WD Re: Former Springhouse WD Property Tax Map # 46.6-1-22 Going Up for Sale

Supervisor Hay made a motion to take a minute recess and Councilman Larca seconded. All in favor.
 Supervisor Hay made a motion to resume the meeting and Councilman O'Connor seconded. All in favor.

VOUCHERS

Supervisor Hay made a motion to approve the Vouchers in the amount of \$1,049,080.17 and Councilman Cyprus seconded. All in favor.

BUDGET TRANSFERS

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

MEETINGS

Supervisor Hay made a motion to set the following meeting dates to be held at 1360 Route 22, Brewster, New York at 7:00 P.M. unless otherwise noted. Councilman Larca seconded. All in favor.

Thursday, August 11, 2022 – Work Session / Regular Meeting

Thursday, August 25, 2022 – Work Session / Regular Meeting

RESOLUTION NO. 40 / 2022 RESOLUTION TO AMEND THE ZONING MAP

INTRODUCED BY: Supervisor Hay

SECONDED BY: Councilman Cyprus

WHEREAS, the Town Board of the Town of Southeast is in receipt of a petition to rezone a 7.2 acre lot located at 40 Guinea Road, designated as Tax Map identification number 78.-1-77, in the R-160 Zoning District to R-60;

WHEREAS, the proposed rezoning would facilitate the subdivision of the 7.2 acre lot into three individual lots to each support a single-family residence, associated well, septic system, and driveway;

WHEREAS, the Town Board is in receipt of a report and recommendation from the Planning Board dated June 13, 2022, recommending the proposed rezoning;

WHEREAS, the Planning Board, as Lead Agency under the State Environmental Quality Review Act (SEQRA) adopted a Negative Declaration on June 13, 2022, indicating that the proposed rezoning would not result in any significant adverse environmental impacts;

NOW, THEREFORE BE IT RESOLVED, that the Town of Southeast Town Board hereby amends the Zoning Map of the Town of Southeast to rezone the 7.2 acre parcel located at 40 Guinea Road and designated as Tax Map identification number 78.-1-77 from R-160 to R-60.

UPON A ROLL CALL VOTE:

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

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

Supervisor Hay introduced Resolution #41 and it was voted on with a vote of 3 for, 1 against, and 1 abstained. Supervisor Hay recalled the vote because he and Councilman Cyprus thought the vote was on Resolution #42, the local law. The recall was seconded by Councilman Cyprus. All in favor.

RESOLUTION NO. 41 /2022 RESOLUTION TO DECLARE LEAD AGENCY AND ADOPT A NEGATIVE DECLARATION

INTRODUCED BY: Supervisor Hay
SECONDED BY: Councilman Alvarez

WHEREAS, the Town Board of the Town of Southeast is considering the adoption of a Local Law to Amend Chapter 138 of the Town Code, ‘Zoning’ to amend the existing accessory apartment regulations;

WHEREAS, the Town Board is the only agency that has the authority to amend the Town’s Zoning Code therefore, no other agencies are considered potential Involved Agencies;

NOW, THEREFORE BE IT RESOLVED, that pursuant to §617.6(b)(2) of the State Environmental Quality Review Act (SEQRA), the Town Board of the Town of Southeast, hereby declares itself Lead Agency for purposes of SEQRA for this Unlisted Action.

AND BE IT FURTHER

RESOLVED, that the Town of Southeast Town Board as Lead Agency has determined that the proposed action, for the reasons set forth in the Short Environmental Assessment Form dated July 26, 2022 and the appended SEQRA Notice of Determination of Significance, the adoption of the Local Law to Amend Chapter 138 of the Town Code, ‘Zoning’ to amend the existing accessory apartment regulations will not have a significant environmental impact and a Draft Environmental Impact Statement will not be prepared.

UPON A ROLL CALL VOTE:

Councilman Alvarez	<u>Aye</u>
Councilman Cyprus	<u>Aye</u>
Councilman Larca	<u>Aye</u>
Councilman O’Connor	<u>Aye</u>
Supervisor Hay	<u>Aye</u>

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

RESOLUTION NO. 42 / 2022 LOCAL LAW NO. 3 of 2022 CHAPTER 138 “ZONING”

INTRODUCED BY: Supervisor Hay
SECONDED BY: Councilman Larca

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 the Zoning Code of the Town of Southeast to update the existing accessory apartment regulations to clarify that accessory apartments within the mixed-use GC-2 Zoning District would not have an owner occupancy requirement; 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 July 14, 2022; 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 2022 pursuant to the Municipal Home Rule Law amending Chapter 138 of the Town Code (Zoning) by (a) amending Article X, Section 138-56.1A entitled "Special Permits and Conditional Uses" to clarify that properties within the mixed-use GC-2 Zoning District are exempt from the owner occupancy requirement for accessory apartments; and be it further

RESOLVED, that the Town Clerk be and hereby is authorized and directed to enter said Local Law in the minutes of this meeting and 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>
Councilman Cyprus	<u>Nay</u>
Councilman Larca	<u>Aye</u>
Councilman O'Connor	<u>Aye</u>
Supervisor Hay	<u>Abstained</u>

VOTE: Resolution carried, by a vote of 3 , to 1 , 1 abstained.

RESOLUTION NO 43 / 2022 ADJUSTING "BASE PROPORTIONS" FOR REAL PROPERTY TAX ASSESSMENT PURPOSES

INTRODUCED BY: Supervisor Hay
SECONDED BY: Councilman Larca

WHEREAS, the Town Board of the Town of Southeast desires to maintain fairness in the taxable valuation of tax parcels within the town; and

WHEREAS, it is the Board's understanding that using the calculations of RP-6703 for the adjustment of base proportions will best serve the needs of the Town and be most equitable for the taxpayers; and

WHEREAS, the Town Assessor has recommended that the Town accept the adjusted base proportions as submitted as Town Outside Village Homestead at **63.494124** per cent and Town-Wide Homestead portion at **62.666061** per cent.

NOW, THEREFORE, BE IT

RESOLVED, that the Town board of the Town of Southeast accepts the recommendation of the Town Assessor and hereby authorizes the Town Clerk to sign and provide to the Office of Real Property Services form RP-6703 for the Town Outside Village and Town-Wide Homestead portion containing the adjusted base proportion of **63.494124%** and **62.666061%**, respectively, pursuant to Real Property Tax Law and NYS Rules and Regulations in form and substance as may be approved by Town Attorney.

Upon Roll Call Vote:

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

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

RESOLUTION NO. 44 / 2022 SUPPORT FOR TOWN OF SOUTHEAST CULTURAL ARTS COALITION IN ITS APPLICATION TO NY HOMES AND COMMUNITY RENEWAL FOR FUNDING UNDER THE NEW YORK MAIN STREET (NYMS) PROGRAM-DOWNTOWN ANCHOR PROJECT

INTRODUCED BY: Supervisor Hay
SECONDED BY: Councilman O'Connor

WHEREAS, the Town of Southeast Cultural Arts Coalition desires to apply for \$500,000 in financial assistance through the 2022 Consolidated Funding Application (CFA) for a NYMS Program DownTown Anchor Project for the Southeast Old Town Hall;

WHEREAS, the application proposes funding to help renovate the Southeast Old Town Hall at 67 Main Street, Brewster, New York (the "Site") by adding egress and updating the mechanical, electrical, and plumbing systems to meet building code requirements for health, safety and general public usage of the building's exquisite theater.

WHEREAS, the Southeast Old Town Hall is slated to become a cultural arts center and theater venue, a downtown anchor critical to the revitalization of Brewster and ongoing community renewal efforts.

WHEREAS, the Site is located within the territorial jurisdiction of this Town Board; and

WHEREAS, as a requirement under the rules of this program, the municipality having jurisdiction over the project Site must adopt a formal resolution supporting the application.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Southeast does hereby approve and endorse the Town of Southeast Cultural Arts Coalition's grant application for the NYMS Downtown Anchor Project: "Southeast Old Town Hall Restoration – Egress and Building Systems."

Upon Roll Call Vote:

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

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

RESOLUTION NO. 45 / 2022 INTER-MUNICIPAL AGREEMENT (IMA) TO PURCHASE HIGHWAY EQUIPMENT

INTRODUCED BY: Supervisor Hay

SECONDED BY: Councilman Alvarez

WHEREAS, by memorandum dated July 26, 2022, the Town Highway Superintendent seeks authorization for the Town to enter into an Inter-Municipal Agreement (IMA) to purchase equipment from the Peace Bridge Authority of New York; and

WHEREAS, the Town will be purchasing this vehicle with cash on hand and such purchase will not requiring bonding.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Highway Superintendent is authorized to enter into an Inter-Municipal Agreement (IMA) with the Peace Bridge Authority of New York to purchase one (1) 2016 Western Star fully equipped plow truck with 8,500 miles for the sum of \$110,000 and be it further

RESOLVED, that this resolution shall take effect immediately.

Upon Roll Call Vote:

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

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

SUPERVISOR'S REPORT

Supervisor Hay stated that things are good, the revenue in Recreation and Courts are very good. He stated that he will be starting the Budget process next month.

PUBLIC COMMENT

Highway Superintendent Mike Burdick updated the Town Board on the replacement of pipes and the sinkhole problems in Brewster Heights. He stated that they are in the first phase and it will be continuous and may take from 3 to 5 years to complete. It's been ongoing for years and an overwhelming problem with only so much time and manpower.

Councilman Larca asked if the infrastructure issue is beyond the Heights and Mr. Burdick stated yes, anything installed prior to 1995 is all metal piping and it is rotting. It's in a lot of the older subdivisions. There is also a problem with some of the easements that we're also dealing with. It's a real safety issue. Councilman Larca asked if we could apply for grants for some of this. Supervisor Hay stated that we are using some of the money from the Federal Government for these projects. Councilman Cyprus asked when you change the whole concrete basin, is it because it failed or just to get to the piping? It's the salt that deteriorates the concrete, it's a vicious cycle. If we can, we like to use the cast iron catch basin tops because they are more resilient to salt. Councilman Cyprus asked how long the concrete lasts and Mr. Burdick stated about 25 years. We have 2300 catch basins in the Town of Southeast, so even if we did 50 a year, you just can't catch up. Every Town is in the same boat.

TOWN BOARD COMMENT

Councilman Cyprus stated he had a few people reach out to him about Volunteer Park and the need to improve the fields. Could we put this on an agenda? Supervisor Hay stated that just provide us with the information.

Supervisor Hay made a motion close the Regular Meeting and go back into Executive Session where no decisions will be made. Councilman O'Connor seconded. All in favor.

Respectfully Submitted,

Elizabeth Cerone
Deputy Town Clerk