

TOWN OF SOUTHEAST
1360 Route 22, Brewster, New York 10509
Thursday, August 29, 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: 40 Persons

WORK SESSION

Supervisor Hay made a motion to open the work session. All in favor.

Discussion – Geese

There was a discussion on how to handle the geese population and the public health concerns of their feces without shooting them to remove them. The dead geese are then taken to a wolf preserve and used to feed the wolves. Some residents of the Lake Tonetta Association want the Board to consider other options. The residents feel it's brutal and inhumane to kill the geese and find the sound of gunshots alarming. The Supervisor explained that this has been done for at least a decade. The town has a permit from the DEC. The DEC's recommended response to the problem of geese is to hunt them. The Town tried other options first, placing moving dog cut outs, screamer guns, and codling of the eggs, but all were ineffective. The president and vice president of the Lake Tonetta Advisory Committee explained the process and the seriousness of the situation, and how they want to keep the Lake open and clean. The recreation director also explained that she fills up two grocery bags each morning before the beach opens and swimming lessons start. The Supervisor stated that it's his responsibility to protect the health and welfare of the residents and children using these facilities. He suggested anyone concerned get involved and go to the meetings.

Discussion – Water and Sewer District Policy

Supervisor Hay stated that there has been a lot of work done to settle the discrepancies with the water district billing and the Town now has a plan he believes is fair. There will be a resolution brought forth next meeting.

REGULAR MEETING

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

CORRESPONDENCE

Correspondence Received

1. H. Joe Fung to TOSE Re: Notice of Violation-Brewster Heights Sewer Dist. 1 SPDES Permit
2. Supreme Court NYS of PC to TOSE Re: Petitions v. TOSE-57.-1-9, 67.15-2-2 & 47.-3-102
3. Resident to Supervisor Hay Re: Complaint of Loud Music on Carroll CT.
4. Patterson Supervisor Richard Williams to Tom LaPerch Planning Board Re: Commercial Campus at Fields Corners a.k.a. Northeast Interstate Logistics Center
5. Supreme Court NYS of PC to TOSE Re: Assessment Petitions v. TOSE-79.-1-53
6. Supreme Court NYS of PC to Re: Assessment Petitions v. TOSE-67.15-1-1
7. Austin Powder Northeast to TOSE Re: Notice of Blasting
8. Teamsters & Chauffeurs Union to Highway Superintendent Bruen Re: Grievance of Tree_Cutting
9. Department of Public Service to TB Re: NYSEG & RG&E Request for Approval of Rate Increase for Electric & Gas in 2020
10. Prevention Council to TB Re: 13th Annual Barbeque on Oct. 2, 2019
11. ARB to TB & TOSE Re: Durkin Water
12. Acord Ins. to TOSE Re: VOB
13. Acord Ins. to TOSE Re: VOB
14. Acord Ins. to TOSE Re: VOB
15. Lauri Taylor Putnam County to Supervisor Hay Re: Putnam County Agriculture & Farmland Protection Board Memo
16. Acord Ins. to TOSE Re: VOB
17. Acord Ins. to TOSE Re: Chemung Supply Corporation
18. G. Seitz, Old Arch Inc. DBA Arch Restaurant to TC Re: Liquor License Renewal
19. Supreme Court NYS of PC to TOSE Re: Assessment Petitions v. S & L Management of Putnam
20. NYS DOT to Supervisor Hay Re: Interstate 684 & 84 Transportation Corridor Study Meeting
21. Supreme Court Putnam to TOSE Re: Assessment Petitions v. TOSE-Hickory Drive
22. NYC Environmental Protection to TOSE Planning Board Re: Mt. Ebo Corporate Park (Barrett Hill)/Mt. Ebo & East Branch Reservoir Basin
23. Teamsters & Chauffeurs Union Local to Supervisor Hay Re: TOSE Grievance Failure to Release Employees
24. Resident to TC Re: Resume

- 25 Putnam County Housing Corporation to Supervisor Hay Re: Application of Grant from NYS Affordable Housing Corporation to Assist Putnam County Residents
- 26 Acord Ins. to TOSE Re: TOSE/Elite Action Fire Extinguishing and Equipment
- 27 Acord Ins. to TOSE Re: VOB//Elite Action Fire Extinguishing and Equipment
- 28 ADP/AON Ins. to TOSE Re: T Webber Plumbing & Heating, Air Professional Associates & Aqueduct Plumbing and Heating of Putnam Worker's Compensation
- 29 NYS Taxation and Finance to Supervisor Hay Re: Certificate of Final Telecommunications Ceiling
- 30 Putnam County Youth Bureau to TOSE Re: Putnam County Youth Bureau 40th Anniversary Celebration Flyer
- 31 Comcast to TOSE Re: Turner Classic Movies Changing to Sports Entertainment Package
- 32 Sterling Environmental/NYDEC Region # 3 to TOSE Re: 2019 Annual Post-Closure Landfill Report
- 33 Teamsters & Chauffeurs Union to Supervisor Hay Re: Local 456, IBT & TOSE Grievance: Tree Cutting 7/12/2019
- 34 Putnam County Legislature to Supervisor Hay Re: Legal Notice of Public Hearing re: Putnam County Agriculture District No. 1 (Putnam County Agriculture and Farmland Protection Board)
- 35 Brewster Elks to TOSE Re: Patriot Day Memorial Service 9/11/2019
- 36 Acord Ins. to TOSE Re: Southeast Museum

Foils

- Yesenia Price to Bldg. Dept. Re: CO's, Survey & Permits-534 North Main St.
- Gerald Skalsky to SE Court Re: Building Code Violation Fines Paid
- Gerald Skalsky to Acctg. Dept. Invoices for Steven Lewis work
- Vera Karaqi to Bldg. Dept. Re: CO & Permit's-56.16-2-32
- Dawn Gambichler to Bldg. Dept. Re: CO's, Permits & Violations-67.9-1-8, 44.-1-21-4002 & 56.12-3-37
- Walter Sadowski to Bldg. Dept. Re: File-56.14-1-12
- Pamela Balint to Bldg. Dept. Re: CO's, Permits & Violations-281 Allview Ave.
- Severine Nigey to Bldg. Dept. Re: Information Requested on 49 Scenic Ridge Road
- Carol Franczak to TC Re: ZBA 851 Rte. 22
- Anthony Spadavecchia to TC Re: Permits Septic, Wells, Construction-3839 Danbury Road
- Lauren Comerino to Bldg. Dept. Re: Building Permits, CO's, Septic-402 Essex Court
- Gerald DePaoli to TC Re: All records 320-324 Guinea Rd.
- Dawn Gambichler to Bldg. Dept. Re: CO's, Permits, Violations, Predate Letters
- Barbara Negro to Bldg. Dept. Re: All Records-190-192 Rte. 22
- P. Ficacora to Bldg. Dept. Re: All Records-1577 Rte. 22
- P.Ficacora to Bldg. Dept. Re: All Records-1292 Rte .22
- Ed Scelia to TC: All Records-10 High Meadow Lane
- Houlihan Lawrence to Bldg. Dept. Re: All Building Records 703 East Main St.
- Dawn Gambichler to Bldg. Dept. Re: CO's, Permits, Violations, Predate Letters-19 Sutton Place
- Jeremy Eli to Acctg. Re: Water & Sewer Acct. Info.
- Jim Bergstrasen to Bldg. Dept. Re: Building File-2539 Carmel Ave.
- Keller Williams to Bldg. Dept. Re: Building File-106 Vails Lake Shore Rd.
- Sobo & Sobo to TC Re: All Records from 1999-Present-17 Prospect Street/Response from TC
- Matthew Giannella to TC Re: Building File-78 Cooledge Dr.
- Wilkes Law Group to Assessors Re: Building File-338 Peach Lake Rd.
- William James to Bldg. Dept. Re: Surveys-1591 Rte. 22
- Sothebys to Bldg. Dept. Re: Building File-105 Sherwood Hill Rd.

- Helmer Guerra to Bldg. Dept. Re: Survey 175 North Brewster Rd.
- Police Records Dept. to TC Re: Request for Motor Vehicle Accident Response Given by TC
- Janet Goankiewicz to TC Re: 186 Starr Ridge Road Fence Construction
- John Scott to TC Re: Building File-56.14-3-50.-140
- Suzanne Shilling to TC Re: Building File-10 Pine Tree Lane
- Pamela Balint to Bldg. Dept. Re: Building File-281 Allview Ave.
- John to TC Re: Building File-1407 Eagles Ridge Road
- Joanne Visovsky to Bldg. Dept. Re: Survey and Information on Wetlands 280 Deans Corner Rd.
- Madeline Falco-Salvati to Bldg. Dept. Re: Building File 49 Settlers Hill Road
- Michael Marra to TC Re: Building File-703 Ashford Circle
- Courtney Bonovich to TC Re: In Ground Pool Permit-65 Lakespring Dr.
- Gerald Skalaski to TC Re: Invoices Submitted for Legal Work Associated with Bldg. Violations
- Marouff Hanif to TC Re: Building File-171 Joes Hill Rd.
- Mark Baysinger to TC Re: Building File-171 Joes Hill Rd.
- Pamela Carinci to TC Re: Building File-1606 Eagles Ridge Rd.
- Laura Lynch to TC Re: Building File-19 Sutton Place
- Molly McCorcle to Bldg. Dept. Re: Building Permit 160 Field Lane
- Rose Bonina to Bldg. Dept. Re: Record of Permit Filed to Drill Well-49 Arbor Lane
- Joan Gavares to Bldg. Dept. Re: CO's, Plans & Legal Bedrooms
- Lucille Ettere to Bldg. Dept. Re: Building File-3 Ruby Lane
- Gerald Skalaski to Bldg. Dept. Re: Building Permits/File for Bridge over Salmons Daily Brook-5 Shady Lane
- Karina Jurea to Bldg. Dept. Re: Building File-37 Allview Ave.
- Linda Seacord to Bldg. Dept. Re: Building File-47 Shore Drive
- Danielle Walker to Bldg. Dept. Re: Survey & Inquiry of Garage, Bedrooms & Baths
- Theresa Russo to Bldg. Dept. Re: Building File-84 Prospect Hill Road
- David Rampolla to TC Re: Request for Employee Information
- Michael Marra to Bldg. Dept. Re: Building File-1105 Scarborough Dr.
- Louis Mango to Bldg. Dept. Re: Building File & Site, Floor Plans
- Highway Superintendent Bruen to Special Districts Re: Road Cuts/Street Openings, TOSE Water District for Repair & Replacement, Old Road Repairs with Contractors work since 1/1/2013
- Rick Figueiredo to TC Re: Building File-0141 Route 22
- Derek Prigitono to Bldg. Dept. Re: Building File-11 Minor Court
- E. Chung @smartprocure.com to TC Re: FOIL to TOSE for PO/Vendor Information
- Civicplus to Bldg. Dept. Re: Building File-5001 Applewood Circle
- Lauren Camerino to Bldg. Dept. Re: Building File-503 Seven Fields Lane
- Anna Prislie to Bldg. Dept. Re: Building Files-92 Cooledge Drive & 4025 Essex Court
- McGrath Realty Inc. to Bldg. Dept. Building Files-22 Grove St.
- Harry Orelus to Bldg. Dept Re: Building Files-149 Shore Drive
- Lauren Camerino to Bldg. Dept. Re: Building File-65/86 Hillside Park
- Michael Early to Bldg. Dept. Re: Building File-6 Hickory Lane
- John Baxter to Bldg. Dept. Re: Surveys-1037, 1041, & Rt. 22
- Anthony DAmico to Bldg. Dept. Re: Building File-190-192 Rt. 22
- Dawn Gambichler to Bldg. Dept. Re: Building File-1203 Farmdale Rd.
- Justin Pieragastini to Bldg. Dept. Re: Building File-23 Sunset Drive

Emails

1. John Forbush to Supervisor Hay Re: Dedication of Milan Road

2. Resident to Highway Superintendent Bruen Re: Stone Wall at Allview Ave.
3. Peter Hansen to Supervisor Hay Re: Wells Park SPDES Permits
4. Eric Larca to Mike Levine Re: Concerns & Maintenance of Simpson Rd. and Root Ave.
5. Carrie Mackey to Michele Stancati, (TC) Re: Maybrook Trailway DEC Permit
6. Gerry Schramek to TOSE Re: Building Safety Inspector Certification
7. Sandra Fusco PC Plng. to Supervisor Hay Re: CFA Submission Re Access Point to EST at Rte. 312
8. Rick O'Rourke to Tom LaPerch, AKRF Re: Fortune Ridge Road Dedication
9. Michael Levine to Supervisor Hay Re: Brewster Theatre Fire Protection Analysis for 67 Main ST.
10. Hua Fung DEC to TOSE Re: Brewster Heights Sewer District 1 NOV
11. Maria Lagana to Supervisor Hay Re: Killing of Geese on Tonetta Lake
12. Todd Foulks to TOSE & Mayor Schoenig Re: Unsanitary Conditions at Brewster Ice Arena
13. Dennis Stantucci to Michael Levine & Town Board (TB) Re: Formal Complaint 7 Shady Lane
14. Mayor Schoenig/Peter Hansen to Supervisor Hay & TB Re: NYSDEC Wells Park Annual Permit Invoice
15. Resident to Supervisor Hay Re: Complaint Regarding Damage at Garden at Village Memorial
16. Kathleen McGinn to Supervisor Hay, Town Clerk, & Ron Hund Re: Bond Closing
17. S. Snider to TC Re: Request for Marriage Record
18. C. Doty to E-waste Re: Satellite Dish Disposal
19. Supervisor Hay to Michael Taraboulos & TB Re: Sale of Tree Haven Property-2366 Rte. 6
20. Lynne Eckardt to Supervisor Hay & TB Re: Route I684 Study
21. M. Ferguson to TC & TB Re: Dead Raccoon Friendly Road
22. Highway Superintendent Bruento Emily Roscia & TB Re: Early Dismissal Grievance
23. Highway Superintendent Bruen to Levon Bedrosian Re: Street Openings
24. H. Fiederlein-Kesper to TB Re: Curbside Water Meter Shut-Off Valve Eagles Ridge Condos
25. C. Molloy to TB & Pat Bohrman Re: Tonetta Lake Job Positions
26. Supervisor Hay to All Employees Re: Working Hours
27. Al Rizzotti to TC Re: Alarm Permit Monitoring Company Record
28. Olenna Truskett to Supervisor Hay & TB Re: Grant 1: Southeast Old Town Hall Restoration Building Envelope/Stair Grant & CFA Request
29. Olenna Truskett to Supervisor Hay & Tb Re: Grant 2: Southeast Old Town Hall Restoration Building Systems Grant 2019 CFA
30. M. Whalen to Supervisor Hay Re: Frequent Loss of Power Reed Farm
31. J. Skalaski to TB & Building Dept. Re: Wetlands Complaint 5 Shady Lane
32. J. Skalaski to TB & Bldg. Dept. Re: Driveway Complaint 5 Shady Lane
33. NYSDOT to Supervisor Hay, W. Stephens & TB Re: Traffic Light Installment Payment International Ave./Rte.312
34. Supervisor Hay to John Tully Re: Permission to Install No Parking Signs/Railroad Ave.
35. Rich Allen to Supervisor Hay Re: 24 Holmes Road
36. A. James to TC Re: Marriage License
37. James Schoenig Jr. to Supervisor Hay Re: Speeding Karlsen Lake Road
38. Supervisor Hay to John Tully & Fred Pena Re: Weeds Covering Stop Sign Prospect Hill-North Brewster Rd.
39. Mary Rooney to Willis Stephens, Supervisor Hay & Mike Levine Re: Repeated Zoning Violations
40. Jacquelynn Vance-Pauls Esq. to TB & TOSE Re: Hackett Paper Road
41. Tommy Regan to Superintendent Bruen, TB & TOSE Re: Paving on Blackberry Drive
42. Michael Liguori to Supervisor Hay, TC, & W. Stephens Re: Paukner Blackberry Ext./Waiver & Release Final Lien Project
43. Highway Superintendent Bruen to Supervisor Hay & TB Re: E-waste Removal

44. Uthman, Aziz to Supervisor Hay & TB Re: NYSEG Meeting/Commitment to Electric Vehicles
45. Olenka Truskett to Supervisor Hay, TB, Bldg. Dept. Re: Proceeding without Auto Fire Sprinkler
46. Supervisor Hay to Olenka Truskett, TB, Accounting, Levon Bedrosian Special Districts Re: 67 Main Water Usage
47. Jason Coppola NYC Environmental Protection to Supervisor Hay, TOSE, TB, Planning Board & W. Stephens Re: Barrett Hill/Mount Ebo
48. Bill Phypers to TB Re: Request for No Thru Traffic Sign on St. James Place & Rt. 121
49. Resident to Supervisor Hay, Mayor Schoenig & Executive Odell Re: Concerns of Maybrook Trailway located by Tonetta Lake Road & Peaceable Hill Road
50. Oliver Lambert to TC Re: Fire Safety & Prevention Awareness
51. TC to Resident Re: Domestic Partnership Information
52. Michael Levine to Steve Coleman, TC & Planning Dept. Re: Wetlands Permits Shady Lane
53. Kathleen McGinn to Supervisor Hay, TC, Ron Hund & Will Stephens Re: TOSE 2019 Bond Closings
54. Jerry Skalaski to Mike Levine & TB Re: Complaint for Building Permit on Fence-5 Shady Lane
55. Resident to TB Re: Black Mold in Special Needs Pre-School
56. Kathleen McGinn to Will Stephens & TB Re: Insurance for Library Bond
57. DEC to Levon Bedrosian & TB Re: Brewster Heights Sewer District NOV/Lab Results
58. Resident to Bldg. Dept. & TOSE Re: Over Grown Grass on Foreclosure-49 Settlers
59. Richard O'Rourke to TB Re: Road Dedication Deans Corner Road Agreement & Bond
60. ARB to Supervisor Hay & TB Re: Add ARB Recommendation for Durkin Water Project
61. Laurie Bell (Town Assessor) to TB Re: 2019 Adjusted Base Proportions
62. Geoff Bloss to Supervisor Hay Re: Inquiry of Property Sale Milltown Rd.
63. Jessica Catalanotto to Highway Superintendent Bruen & TB Re: Driveway/Road Damage-South Rd.
64. Supervisor Hay to Michael Taraboulos Re: Offer to purchase 2360 Rte. 6 (Tree Haven Property)/Response to Seller's Counter Offer
65. Betsy Cerone to S. Batista Re: Resolution #59/19 Dunkin (Copy Sent)
66. Senior Living to Betsy Cerone Re: Request to link on TOSE Website
67. Highway Superintendent Bruen to TB Re: Request for Equipment and OT for Fall Festival 9/8/2019
68. Diane Adamis to TC Re: False Alarm Details Record-Garden Homes (Response sent from TC)
69. Supervisor Hay to Uthman Aziz & TB Re: Delay of Gas Hook Up 215 Shore Drive
70. Highway Superintendent Bruen to M. Levine & TB Re: 293 Dingle Ridge Rd. Concerns of Driveway Construction without Permit
71. Levon Bedrosian to Highway Superintendent Bruen Re: Road Cut on Marlin Road due to Water Leak
72. Mr. & Mrs. Sirken to Michael Levine Re: Concern of Excavation Work for New Cable on White Lotus Road
73. Supervisor Hay to TB & Amy Campanaro Re: Information Request for Town Museum
74. Supervisor Hay to Levon Bedrosian Re: 2020 Budget Submission Special Districts
75. Supervisor Hay to Cathy Chiudina Re: 2020 Budget Submission Recreation
76. Supervisor Hay to Victoria Desidero Re: 2020 Budget Submission Planning Department
77. Supervisor Hay to Judge Folchetti Re: 2020 Budget Submission Town Justice Department
78. Supervisor Hay to Michael Levine Re: 2020 Budget Submission Building Department
79. Supervisor Hay to Highway Superintendent Bruen Re: 2020 Budget Submission Highway Department
80. Lynne Eckardt TB to Tom Fenton PB Re: Fortune Ridge Road Dedication/Sign "End of Town Maintained Road"

Correspondence Sent

1. Chris De Bellis to Property Owner Re: NOV/OTR-78.-2-14
2. Mike Levine to Bart Lansky Permit Application for-56.19-1-40.2
3. Mike Levine to Property Owner Re: NOV/OTR-67.6-1-30
4. Gerald Schramek to Property Owner Re: NOV/OTR-68.19-1-21
5. Mike Levine to Property Owner Re: NOV/OTR-47.-3-10
6. Gerald Schramek to Property Owner Re: NOV/OTR-36.17-1-16
7. Mike Levine to Property Owner Re: NOV/OTR-57.-2-40
8. Joe Hernandez to Property Owner Re: NOV/OTR-46.77-1-14
9. Mike Levine to Property Owner Re: NOV/OTR-78.-2-14
10. Mike Levine to Property Owner Re: NOV/OTR-44.-1-25.6
11. Chris De Bellis to Property Owner Re: NOV/OTR-56.15-1-8
12. Chris De Bellis to Property Owner Re: NOV/OTR-45.-2-6
13. Chris De Bellis to Property Owner Re: NOV/OTR-45.76-1-17
14. Chris De Bellis to Property Owner Re: NOV/OTR-45.76-2-5
15. Chris De Bellis to Property Owner Re: NOV/OTR-44.-1-25.3
16. Chris De Bellis to Property Owner Re: NOV/OTR-56.8-1-64
17. Chris De Bellis to Property Owner Re: NOV/OTR-45.76-1-17
18. Supervisor Hay to Mayor Schoenig Re: Yearly Reimbursement for NYS DEC's Permitting Fees
19. Supervisor Hay to Commissioner Basil Seggos Re: EOHWC/Town of Somers Jet/Vac Truck
20. Tom LaPerch to Scott Peder Re: Escrow Account-Hamedi
21. Gerald Schramek to Property Owner Re: NOV/OTR-295 Tonetta Lake Rd.
22. Supervisor Hay to Superintendent Bruen Re: Incident Inquiry July 12, 2019
23. TOSE to Putnam County Legislature, Hon. Castellano & Hon. P. Jonke Re: Proposed Danbury CT/TOSE Sewer Connection
24. TOSE to Austin Powder Re: Receipt of "Notices of Blasting"
25. TOSE to Property Owner Re: NOV/OTR-286 Allview Ave.
26. TOSE to Property Owner Re: NOV/OTR-286 Allview Ave.
27. TOSE to Property Owner Re: NOV/OTR-852 Rte. 312
28. TOSE & Supervisor Hay to Fred Pena Highway Commissioner Re: Sunken Culvert-632 Milltown Rd.
29. TOSE to Property Owner Re: NOV/OTR-66 Sunset Dr.\
30. Michael Levine to Supervisor Warren Lucas (North Salem) Re: 23 Vail's Lakeshore Dr. Unclear Tax Roll Southeast v. North Salem
31. Supervisor Hay to Putnam County Housing Corporation Re: Support of Home Improvement Grant for Putnam County Residents
32. TOSE to Property Owner Re: NOV/OTR-10-14 Kings Lane
33. Susan Tobacco to Supervisor Hay Re: Monies Earned 2019 County, Town, & Special District Tax Collection
34. TOSE to Resident(s) Re: Commercial/ Residential False Fire Alarm Warning
35. Mike Levine, Bldg. Dept. to M. Santucci Re: Fence Permit Compliance
36. Joe Hernandez Bldg. Dept. to M. Santucci Re: Replacement of Existing Bridge Deck-5 Shady Lane
37. TC to Christine Chiesa Re: Vital Records Information
38. TOSE to Property Owner Re: NOV/OTR-23 Pleasant Drive
39. TOSE to Property Owner Re: NOV/OTR-160 Fields Lane
40. TOSE to Property Owner Re: NOV/OTR-Bel-Aire Motel
41. TOSE to Property Owner Re: NOV/OTR-M & J Beverage Inc./Sign
42. TOSE to Property Owner Re: NOV/OTR-M & J Beverage Inc./CO
43. TOSE to Property Owner Re: NOV/OTR-293 Dingle Ridge Rd.

VOUCHERS

Supervisor Hay made a motion to approve the Vouchers in the amount of \$743,580.99. Councilman Alvarez seconded. All in favor.

MEETINGS

Supervisor Hay made a motion to set the following meetings 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, September 12, 2019 – Work Session / Regular Meeting

Thursday, September 26, 2019 – Work Session / Regular Meeting

BUDGET TRANSFERS

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

RESOLUTION NO. 62 / 19 RUFFIAN, LLC RELEASE OF PERFORMANCE BOND ESTABLISHMENT OF MAINTENANCE BONDS

INTRODUCED BY: Supervisor Hay
SECONDED BY: Councilwoman Eckardt

WHEREAS, the Town Board of the Town of Southeast is in receipt of a report and recommendation from the Town Engineer and referral from the Planning Board with respect to the release of Performance Bond and Establishment of Maintenance Bonds for the RUFFIAN, LLC commercial site development plan for premises located at 3834 Danbury Road, Tax Map No. 69.-1-9; and

WHEREAS, such report recommends the release of the balance of the performance bond held in connection with this project on the condition that appropriate post construction performance bond and maintenance bonds are posted.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk is hereby directed to cancel and return the original performance bond for the Ruffian, LLC commercial site development located at 3834 Danbury Road and to return any and all original bonds, deposits, letters of credit or other indicia of security posted in connection with this project on the condition the applicant / owner (a) files a post construction performance guarantee in an amount not less than \$2,850.00 for a period of four (4) years; (b) files a landscape maintenance bond in an amount not less than \$5,000 for a period of two (2) years; and (c)

deposit the sum of \$750 in escrow with the Town Clerk, such sum to be used to fund annual storm water system inspections and reports, in the event the property owner fails to provide same.

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

**RESOLUTION NO. 63 / 2019 STONEHOLLOW DRIVE to and including KNOLLRIDGE COURT
ACCEPTANCE OF OFFER OF DEDICATION**

INTRODUCED BY: Supervisor Hay
SECONDED BY: Councilman Larca

WHEREAS, Glickenhau Brewster Development, Inc., the owner and developer (hereinafter the “Developer”) of the Fortune Ridge Subdivision (formerly known as “Meadows at Dean’s Corners”), has requested the Town of Southeast to accept the dedication of certain lands upon which certain roadways have been constructed in connection with the residential subdivision consisting of portions of the road designated as Stonehollow Drive (approximately 2,750 ± lineal feet) up to and including the cul-de-sac known and designated as Knollridge Court (hereinafter collectively the “Road”) as shown on a certain Filed Map entitled “Final Subdivision Plat for Meadows @ Deans Corners” filed in the Putnam County Clerk's Office on February 18, 2005 as Filed Map No. 2971; and

WHEREAS, the Town Consulting Engineer and the Town Highway Superintendent have inspected said Road and have found them to be constructed generally according to plan and in accord with the town highway specifications; and

WHEREAS, it is deemed to be in the best interest of the residents of the Town of Southeast to accept the dedication of the aforementioned Road.

NOW, THEREFORE, the Supervisor of the Town of Southeast is hereby authorized to accept the deed or deeds dedicating and releasing the necessary lands for the road known as Stonehollow Drive up to and including Knollridge Court and cause same to be recorded in the Putnam County Clerk's office in connection with the residential development known as Fortune Ridge Estates, upon the Developer having fulfilled the following terms and conditions:

1 The Road shall be completed in accordance with all other Town Highway road construction specifications and in a manner satisfactory to the Town’s consulting engineers and the Town Highway Superintendent including, but not limited to, erecting a sign on Stonehollow Drive at the designated dedication terminus thereof which reads “Town Maintenance of Road Ends” together with construction of a barrier or similar moveable obstruction at that point to inhibit passage of traffic beyond the point where dedication ends;

2. The Developer shall provide a deed or deeds of dedication for all portions of such Road being dedicated to the Town, necessary to convey fee simple title to the lands underneath the road to the Town of Southeast, free and clear of all liens or encumbrances, except for utility easements;

3. The Developer shall provide the Town with all necessary and proper easements, if any, across adjoining lands for the purpose of drainage or discharge of storm water from the dedicated portion of the Road over such adjoining lands;

4. The Developer shall provide a title insurance policy issued by a company which is a member of the New York Board of Title Underwriters in good standing insuring the Town's fee simple title in and to such Road as described in the deed of dedication in the amount of Ten Thousand (\$10,000.00) dollars; and

5. The Developer and the Town shall execute an agreement in form and substance satisfactory to the Town Attorney wherein a portion of the Developer's security deposit / performance security in the amount of \$286,621.25, shall be held until the issuance of the last certificate of occupancy on the northerly portion of the Subdivision and ear marked for use in repaving or reconstruction of the Road caused in whole or in part by the movement of heavy equipment over so much of the Road being dedicated; and it is further

RESOLVED that, upon compliance with the foregoing conditions, and in accordance with the provisions of Section 171 of the Highway Law of the State of New York, consent is hereby given that the Highway Superintendent of the Town of Southeast make an order laying out the aforesaid town highway, the town highway to consist of the lands described in the deed of dedication, and it is further

RESOLVED, that upon compliance with the aforesaid conditions and upon posting the appropriate maintenance bond, the Town Clerk is authorized to record the deed or deeds of dedication in the Putnam County Clerk's office.

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. 64 / 2019 SETTLEMENT OF CERTIORARI PROCEEDING
EURO FENCE – TAX MAP NO. 57.-1-9

INTRODUCED BY: Supervisor Hay
SECONDED BY: Councilman Alvarez

WHEREAS, proceedings have been commenced in NYS Supreme Court, Putnam County, challenging the assessed valuation of premises owned by Euro Fence, Inc., Tax Map No. 57.-1-9, for the 2019 tax roll; 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:

<u>Petitioner</u>	<u>Tax ID</u>	<u>Year</u>	<u>Assessment</u>	<u>Settled Assessment</u>
Euro Fence, Inc.	57.-1-9	2019	\$969,400	\$850,000

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.

**RESOLUTION NO. 65 / 19 MUNICIPAL COOPERATION RESOLUTION
BREWSTER CENTRAL SCHOOL DISTRICT TAX COLLECTION SERVICES**

INTRODUCED BY: Supervisor Hay
SECONDED BY: Councilman Alvarez

WHEREAS, New York General Municipal Law, Article 5-G, Section 119-o empowers municipal corporations [defined in Article 5-G, Section 119-n to include school districts, boards of cooperative educational services, counties, cities, town and villages and districts] to enter into, amend, cancel and terminate agreements for the performance among themselves (or one for the other) of their respective functions, powers and duties on a cooperative or contract basis (hereinafter an “Inter-municipal Agreement” or “IMA”);

WHEREAS, the Town of Southeast provides tax collection services for the Brewster Central School District for the collection of annual school taxes levied upon properties within the Town and the Brewster Central School District (“BSCD”); and

WHEREAS, the Town has purchased a computer software system for Tax Collection from Business Automation Services, Inc. (“BAS”) and has also contracted for annual software support, downloading services and maintenance for which the Town is invoiced periodically; and

WHEREAS, in the past, the vendor of these tax collection services has invoiced BCSD for the annual support services directly, but BAS has indicated that it will only send invoices to the Town; and

WHEREAS, the Town and BCSD wish to enter into an IMA to memorialize the responsibilities of BCSD to reimburse the Town for the actual costs of servicing and maintain the Tax Collection System on behalf of BCSD.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Supervisor be and is hereby authorized to execute and deliver an Inter-Municipal Agreement (“IMA”) to the Brewster Central School District in the name of and on behalf of The Town of Southeast, wherein and whereby the BCSD will reimburse the Town of Southeast for its pro rata share of all expenses actually incurred by the Town in connection with the annual software support and maintenance of the Tax Collection System provided by Business Automation Services, Inc.

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. 66 / 19 MUNICIPAL COOPERATION RESOLUTION
NORTH SALEM SCHOOL DISTRICT TAX COLLECTION SERVICES

INTRODUCED BY: Supervisor Hay
SECONDED BY: Councilwoman Eckardt

WHEREAS, New York General Municipal Law, Article 5-G, Section 119-o empowers municipal corporations [defined in Article 5-G, Section 119-n to include school districts, boards of cooperative educational services, counties, cities, town and villages and districts] to enter into, amend, cancel and terminate agreements for the performance among themselves (or one for the other) of their respective functions, powers and duties on a cooperative or contract basis (hereinafter an “Inter-municipal Agreement” or “IMA”);

WHEREAS, the Town of Southeast provides tax collection services for the North Salem School District for the collection of annual school taxes levied upon properties within the Town and the North Salem School District (“NSSD”); and

WHEREAS, the Town has purchased a computer software system for Tax Collection from Business Automation Services, Inc. (“BAS”) and has also contracted for annual software support, downloading services and maintenance for which the Town is invoiced periodically; and

WHEREAS, in the past, the vendor of these tax collection services has invoiced NSSD for the annual support services directly, but BAS has indicated that it will only send invoices to the Town; and

WHEREAS, the Town and NSSD wish to enter into an IMA to memorialize the responsibilities of NSSD to reimburse the Town for the actual costs of servicing and maintain the Tax Collection System on behalf of NSSD.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Supervisor be and is hereby authorized to execute and deliver an Inter-Municipal Agreement (“IMA”) to the North Salem School District in the name of and on behalf of The Town of Southeast, wherein and whereby the NSSD will reimburse the Town of Southeast for its *pro rata* share of all expenses actually incurred by the Town in connection with the annual software support and maintenance of the Tax Collection System provided by Business Automation Services, Inc.

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. 67 / 2019 BOARD OF ASSESSMENT REVIEW APPOINTMENT OF WENDY LEWIS

INTRODUCED BY: Supervisor Hay
SECONDED BY: Councilman Alvarez

WHEREAS, Wendy Lewis’ term on the Board of Assessment Review (“BAR”) expires on September 30, 2019; and

WHEREAS, Ms. Lewis has agreed to serve an additional term on the BAR; and

WHEREAS, the Town Board is in receipt of a recommendation from the BAR and Assessor regarding the reappointment of Ms. Lewis to a five (5) year term.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Southeast hereby appoints

WENDY LEWIS

to the Town of Southeast Board of Assessment Review, such term commencing on October 1, 2019 and expiring on September 30, 2024; 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 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.

SUPERVISOR'S FINANCIAL REPORT

Supervisor Hay stated that he is currently working on the budget for next year and has met with all departments but two. He said that it's a good budget and we will again stay within the cap. He also stated that the Court revenue is substantially down and will work on that.

PUBLIC COMMENT

Assessor Laurie Bell stated that there is a lot of confusion this year about the STARR checks and the property rebate checks. The property rebate checks have been given out for a few years and this is the last year the State will be doing this. Your STARR exemption automatically comes off your tax bill unless you bought your house after 2015, then you will get a refund in the mail.

TOWN BOARD COMMENT

Councilwoman Eckardt stated that the fall festival will be held on September 8th in the Village of Brewster.

Councilman Alvarez wished everyone a Happy Labor Day!

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

Respectfully Submitted,

Michele Stancati
Southeast Town Clerk