

TOWN OF SOUTHEAST
1360 Route 22,
Brewster, New York 10509
Thursday, August 18, 2016
WORK SESSION/REGULAR MEETING 7:00 P.M.

Pledge of Allegiance
Notation of Exits
Turn Off/Put on Vibrate – All Electronic Devices

Public Hearing:

1. Barrett Hill

Work Session:

1. Discussion – Article IV – Section 131-20 – Commuter Parking

Regular Meeting:

1. Resolution – Settlement of Certiorari Proceedings – 2226 Adams Place Realty
2. Resolution – Wayne Sniffen – Retirement-Health Insurance Benefits
3. Resolution – Order calling for Public Hearing – Establishment of an Improvement District – to be known as Birch Hill-Highview Water District

Recognition of Public/Public Comment
Recognition of Town Board/Town Board Comment

WS# 1

ARTICLE IV
Commuter Parking

§ 131-18. Permit required. [Amended 1-20-2011 by L.L. No. 1-2011]

No person shall park or be permitted to park an automobile or other vehicle or allow such vehicle to remain in or upon the public parking places or areas known as the Southeast Station and the Gold Lot between the hours of 6:00 a.m. and 6:00 p.m., Monday through Friday, unless the owner of such vehicle shall have a permit as hereinafter described.

§ 131-19. Resident and nonresident permit; display. [Amended 1-20-2011 by L.L. No. 1-2011]

Any resident of the Town of Southeast shall have the right, upon making application to the Parking Enforcement Officer and upon furnishing said Officer with satisfactory evidence that such applicant is a resident of said Town and a commuter, and upon paying the fee as set forth by resolution of the Town Board, receive a permit entitling such resident to park his or her automobile or other vehicle in the Southeast Station or Gold Parking Lot, if space therein shall be available. Likewise, any nonresident, upon application and satisfactory evidence that such applicant is a commuter, upon paying a fee as set forth by resolution of the Town Board, shall similarly receive a permit. Such a permit shall bear the license plate number of the vehicle on which it is attached and shall be conspicuously displayed by hanging the same from the rearview mirror. All vehicles are to be parked front wheels in. Except in instances where a permit is issued for multiple vehicles, permits shall not be transferable.

§ 131-20. Parking prohibited certain hours. [Amended 1-20-2011 by L.L. No. 1-2011]

Parking is prohibited from 3:00 a.m. to 6:00 a.m. in the Southeast Station Parking Lot and Gold Parking Lot.

§ 131-21. Responsibility for vehicles.

All vehicles parked at the Town parking areas shall be at the owner's risk.

ARTICLE V
Handicapped Parking

§ 131-22. Findings; special parking permit; parking in designated places.

A. The Town Board finds and determines that it is in the best interest of the residents of the Town of Southeast to grant certain parking privileges to physically handicapped persons.

B. The term "physically handicapped person," for the purpose of this section, shall mean any person who, by reason of a defect or infirmity, whether congenital or acquired by accident, injury or disease, is permanently incapacitated, totally or partially, from walking without the assistance of artificial devices.

Zoning

R#1

**TOWN BOARD
TOWN OF SOUTHEAST, NEW YORK**

**2226 ADAMS PLACE REALTY
SETTLEMENT OF CERTIORARI PROCEEDINGS**

RESOLUTION NO. _____ / 2016

DATE: August 18, 2016

INTRODUCED BY: _____

SECONDED BY: _____

WHEREAS, proceedings have been commenced 2226 Adams Place Realty in NYS Supreme Court challenging the assessed valuation of multifamily residential premises known generally as 34 Putnam Aveune, Tax Map No. 56.18-1-2 for 2013, 2014, 2015 and 2016; and

WHEREAS, the Town Board is in receipt of settlement recommendations from the Town's Assessor, Appraiser and Town Attorney with regard to such proceedings.

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>
2226 Adams Place	56.18-1-2	2013	\$1,800,000	\$ 1,800,000
		2014	\$1,800,000	\$ 1,710,000
		2015	\$1,925,000	\$ 1,800,000
		2016	\$2,050,000	\$ 1,925,000

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 foregoing settlements.

UPON A ROLL CALL VOTE:

Councilman Alvarez _____
Councilman Cullen _____
Councilwoman Eckardt _____
Councilwoman Hudak _____
Supervisor Hay _____

VOTE: carried / defeated by a vote of _____ in favor, _____ against; _____ abstained.

TOWN CLERK'S CERTIFICATION

STATE OF NEW YORK)
 : ss.:
COUNTY OF PUTNAM)

I, MICHELE STANCATI, Town Clerk of the Town of Southeast, do hereby certify that the above is a true and exact copy of a Resolution adopted by the Town Board of the Town of Southeast at a meeting of said board held the 18th day of August, 2016.

MICHELE STANCATI
Town Clerk

**TOWN BOARD
TOWN OF SOUTHEAST, NEW YORK**

**WAYNE SNIFFEN
RETIREMENT-HEALTH INSURANCE BENEFITS**

E#2

RESOLUTION NO. _____ / 2016

DATE: August 18, 2016

INTRODUCED BY: _____

SECONDED BY: _____

WHEREAS, Wayne Sniffen (“Sniffen”) is an employee of the Town of Southeast (“Town”) Highway Department; and

WHEREAS, Sniffen is represented by Local 456, International Brotherhood of Teamsters (“Union”); and

WHEREAS, the Town and the Union are parties to a collective bargaining agreement (“CBA”) providing for the terms and conditions of employment for employees of the Town represented by the Union; and

WHEREAS, Article II, Section 2(D) of the CBA provides that the Town shall pay 80% of the individual or family plan for medical/health insurance for retirees who have completed fifteen (15) years of continuous service with the Town; and

WHEREAS, Sniffen seeks to retire from employment with the Town; and

WHEREAS, Sniffen presently has more than fifteen non-continuous years of service with the Town; and

WHEREAS, upon retirement as planned, Sniffen will have approximately 14.4 years of continuous service with the Town; and

WHEREAS, it is recognized that if Sniffen were to delay his retirement to fulfill the strict provisions of the CBA, the Town could be left in the middle of the Winter plowing season with the need to fill a position with a new, untrained driver; and

WHEREAS, the Union has agreed to stipulate that any waiver of the strict requirements of the CBA in this instance will not be considered a “past practice” or be deemed a precedent in any future application of the CBA.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into a Stipulation of Agreement, in form, substance and manner of execution as approved by the Town Attorney, between the Town and the Union, wherein and whereby the parties agree to waive the requirement in Article II, Section 2(D) of the CBA that the fifteen years of service to the Town be "continuous", in order to allow Wayne Sniffen to receive health insurance through the Town after he terminates his employment with the Town, provided such termination of employment occurs on or before October 1, 2016.

UPON A ROLL CALL VOTE:

Councilman Alvarez _____
Councilman Cullen _____
Councilwoman Eckardt _____
Councilwoman Hudak _____
Supervisor Hay _____

VOTE: carried / defeated by a vote of _____ in favor, _____ against; _____ abstained.

TOWN CLERK'S CERTIFICATION

STATE OF NEW YORK)
 : ss.:
COUNTY OF PUTNAM)

I, MICHELE STANCATI, Town Clerk of the Town of Southeast, do hereby certify that the above is a true and exact copy of a Resolution adopted by the Town Board of the Town of Southeast at a meeting of said board held the 18th day of August, 2016.

MICHELE STANCATI
Town Clerk

TOWN BOARD
TOWN OF SOUTHEAST
STATE OF NEW YORK

-----X
IN THE MATTER PURSUANT TO TOWN LAW
ARTICLE 12-A FOR THE ESTABLISHMENT OF
AN IMPROVEMENT DISTRICT TO BE KNOWN
AS THE **BIRCH HILL-HIGHVIEW WATER
DISTRICT** WHOLLY WITHIN THE TOWN OF
SOUTHEAST, NEW YORK
-----X

**ORDER CALLING FOR
PUBLIC HEARING**

WHEREAS, the Town Board of the Town of Southeast, New York (the "Town"), duly adopted a resolution directing Nathan L. Jacobson & Associates, the Town Engineer, to supervise the preparation of a map, plan and report for providing the facilities, improvements or services in a portion of the Town wherein a water district was proposed to be established and known as Birch Hill-Highview Water District, and

WHEREAS, the Town Engineer filed a map, plan and report for providing the facilities, improvements or services in a portion of the Town wherein a water district was proposed to be established, and

WHEREAS, the boundaries and tax parcels to be included in the proposed water district are annexed hereto as Schedule A; and

WHEREAS, the improvements proposed are the upgrade and improvement of the existing Birch Hill Water Company, a Transportation Corporation which served residents on Birch Hill Road, which has been conveyed to the Town, together with certain private facilities which previously supplied water to residents on Highview Terrace, and

WHEREAS, the maximum amount proposed to be expended for such improvement is \$275,000; and

WHEREAS, the proposed method to be employed for financing such improvement is as follows: real property tax assessments, municipal notes and bonds; and

WHEREAS, there are no hook-up fees associated with this improvement; and

WHEREAS, the estimated cost of said district to the typical property is \$1,400.00 per year; and

WHEREAS, a map, plan and report describing such improvement are on file in the office of the Town Clerk for public inspection, it is

ORDERED, that the Town Board shall meet at the Town Hall, 1360 Route 22, Brewster, New York, on the 22nd day of September, 2016, at 7:00 p.m., a date which is not less than ten (10) nor more than twenty (20) days from publication of this Order, for the purpose of conducting a public hearing on the proposal to establish said Birch Hill-Highview Water District pursuant to

Article 12-A of the Town Law with the improvements specified above together with the environmental significance thereof pursuant to the New York State Environmental Quality Review Act (“SEQRA”), at which time and place all persons interested in the subject thereof may be heard concerning the same, and it is further

ORDERED, that the Town Clerk is hereby authorized and directed to publish a copy of this order in The Putnam Press, the official Town newspaper and post a copy of the same on the signboard of the Town, in the time and manner required by law.

By Order of the Town Board
Michele Stancati, Town Clerk

SCHEDULE “A”

The following Tax Lots are proposed to be included in the Birch Hill-Highview Water District:

67.15-1-7	67.15-2-1
67.15-1-8	67.15-2-2
67.15-1-9	67.15-2-3
67.15-1-10	67.15-2-4
67.15-1-11	67.15-2-5
67.15-1-12	67.15-2-6
67.15-1-13	
67.15-1-14	
67.15-1-15	
67.15-1-16	
67.15-1-17	
67.15-1-18	
67.15-1-19	
67.15-1-20	
67.15-1-21	
67.15-1-22	
67.15-1-23	
67.15-1-25	
67.15-1-26	
67.15-1-30	