

TOWN OF SOUTHEAST
1360 Route 22,
Brewster, New York 10509
Thursday, October 6, 2016
EXECUTIVE SESSION 6:30 P.M.
WORK SESSION/REGULAR MEETING 7:00 P.M.

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

Executive Session:

1. Personnel Discussion

Work Session:

1. Nothing Scheduled

Regular Meeting:

1. Resolution – Adopting Local Law Amending Zoning Map - Barrett Hill
2. Resolution – Order Establishing Birch Hill-Highview Terrace Water District
3. Resolution – Releasing Performance Bond and Establishing a Maintenance Bond – Collins Brothers – 70 Fields Lane
4. Resolution – Releasing Performance Security and Establishing Landscape and Storm Water Maintenance Bonds – Two Starr Ridge Corporation
5. Set Public Hearing for 2017, October 20, 2016

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

R#1

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

**RESOLUTION ADOPTING LOCAL LAW
AMENDING ZONING MAP – BARRETT HILL**

RESOLUTION NO. _____/2016

DATE: October 6, 2016

INTRODUCED BY: _____

SECONDED BY: _____

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 138 of the Code of the Town of Southeast entitled Zoning, to consider a proposed local law amend section 138-6 of the Zoning Code (“Zoning Map”) and the Zoning Map authorized thereunder to map and reclassify property described as 29 acre parcel located at 41 Mt. Ebo Road North, Brewster, New York (Tax Map No. 46-5-2) currently zoned as OP-2 to a “Multifamily Work Force Housing District”; 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 September 22, 2016 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. 7 of 2016 pursuant to the Municipal Home Rule Law amending law section 138-6 of the Zoning Code (“Zoning Map”) and the Zoning Map authorized thereunder, to map and reclassify property described as a 29 acre (+/-) parcel located at 41 Mt. Ebo Road North, Brewster, New York (Tax Map No. 46-5-2) currently zoned as OP-2 to a “Multifamily Work Force Housing District”; 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 (b) cause the Zoning Map of the Town of Southeast to be amended to reflect the adoption of this Local Law; and (c) 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 _____
Councilwoman Eckardt _____
Councilman Cullen _____
Councilwoman Hudak _____
Supervisor Hay _____

VOTE: Resolution _____, by a vote of _____, to _____, _____ 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 .

MICHELE STANCATI
Town Clerk

AT A REGULAR meeting of the Town Board of the Town of Southeast, in the County of Putnam, New York, held at the Town Hall, 1360 Route 22, Brewster, New York on October 6, 2016.

Handwritten: #2

PRESENT: Hon. Tony Hay, Supervisor
Hon. Robert Cullen, Councilman
Hon. Elizabeth Hudak, Councilwoman
Hon. Lynne Eckardt, Councilwoman
Hon. Edwin Alvarez, Councilman

-----X
: IN THE MATTER OF THE ESTABLISHMENT OF :
: :
: BIRCH HILL-HIGHVIEW WATER DISTRICT : ORDER ESTABLISHING DISTRICT
: :
: IN THE TOWN OF SOUTHEAST, NY PURSUANT :
: TO ARTICLE TWELVE OF THE TOWN LAW :
: :
: :
-----X

WHEREAS, a map, plan and report relating to the proposed establishment of the **BIRCH HILL-HIGHVIEW DISTRICT**, prepared by Nathan L. Jacobson & Associates, a duly licensed engineer of the State of New York, in a manner and in such detail as has been determined sufficient by this Town Board, having been duly filed with the Town Clerk, in accordance with the requirements of Article 12 of the Town Law; and

WHEREAS, an Order was duly adopted by this Town Board on August 18, 2016, reciting the filing of the Map, Plan and Report, the improvements proposed, the boundaries of the proposed District, the proposed method of financing the improvements, the fact that said documentation were on file with the Town Clerk and available for inspection, and stating all other matters required by law to be stated, and specifying September 22, 2016 as the date, at 7:00 in the evening on said day as the time, at the Town Hall, 1360 Route 22, Brewster, New

York, as the place where this Town Board would meet to consider said map, plan and report, and to hear all persons interested in establishment of the proposed District, and persons having appeared and having given testimony in favor of and in opposition to the proposal; and

WHEREAS, the cost of construction and maintenance of the proposed improvements will be financed by the district through bonds, notes or other securities and paid by the owners of all the taxable property within the district and at no expense to the Town of Southeast as a whole.

NOW, THEREFORE, after due deliberation, it is

RESOLVED AND DETERMINED:

(a) That the notice of hearing was published and posted as required by law, and is otherwise sufficient;

(b) That all property and property owners within the proposed district are benefitted thereby;

(c) That all property and property owners benefitted are included within the limits of the proposed water district; and

(d) That it is in the public interest to establish said water district; and be it further

RESOLVED AND DETERMINED:

That the establishment of the **BIRCH HILL-HIGHVIEW WATER DISTRICT**, and the construction of the necessary improvements to the existing water systems serving the residents within the proposed District are deemed to be an "Unlisted" action pursuant to the State Environmental Quality Review Act and that it is hereby declared that such action is not likely to have an adverse impact on the environment; and be it further

RESOLVED AND DETERMINED:

That the District will assume control of the existing water system which is being conveyed to the District at no cost to the district or the Town of Southeast and shall be free and clear of encumbrances; and be it further

RESOLVED AND DETERMINED:

That the maximum amount proposed to be expended for the improvements is Two Hundred Seventy-Five Thousand and 00/00 (\$275,000.00) dollars and the estimated or projected cost to the typical property owner with the proposed District is \$1,400.00 per annum; and be it further

RESOLVED AND DETERMINED:

That the **BIRCH HILL-HIGHVIEW WATER DISTRICT** encompassing the several lots, parcels and pieces of real property described in schedule "A" is hereby established (subject to approval of the Office of the New York State Comptroller); and be it further

RESOLVED AND DETERMINED:

That this Order and Resolution shall be subject to a Permissive Referendum as provided by the Town Law of the State of New York; and be it further

RESOLVED AND DETERMINED:

That the Town Clerk be, and hereby is, authorized and directed to publish a copy of this Resolution in the official newspaper of the Town of Southeast forthwith; and, upon the passage of thirty (30) days after the adoption of this Resolution and, no adequate petition for referendum having been filed, shall file a certified copy of this Order and Resolution with the Office of the Clerk of the County of Putnam, which is the County in which the said Town of Southeast is located, and in the Office of the State Department of Audit and Control, within the time required by law.

Upon 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 6th day of October, 2016.

MICHELE STANCATI
Town Clerk

SCHEDULE "A"

ALL THE PLOTS, PIECES AND PARCELS OF PROPERTY LOCATED IN THE TOWN OF SOUTHEAST, COUNTY OF PUTNAM AND STATE OF NEW YORK, more particularly described as:

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	

TOWN BOARD
TOWN OF SOUTHEAST, NY

C#3

COLLINS BROTHERS – 70 FIELDS LANE
RESOLUTION RELEASING PERFORMANCE BOND
AND ESTABLISHING A MAINTENANCE BOND

RESOLUTION NO. _____/16

October 6, 2016

INTRODUCED BY: _____

SECONDED BY: _____

WHEREAS, the Town Board is in receipt of a recommendation from the Town Engineer dated September 23, 2016 with respect to the release of a performance Bond for the site improvements associated with the Collins Brothers Moving & Storage (Fifth Avenue Investors) and the establishment of a landscape maintenance bond for premises located at 70 Fields Lane, Tax Map No. 78.-2-9; and

WHEREAS, upon review of such recommendation, 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:

<u>PROJECT NAME:</u>	<u>BOND AMOUNT:</u>	
Collins Brothers Recommendation	Erosion & Sediment Reduce / Release	\$2,100.00 -0-
Establish:	Landscape Maintenance Bond - 2 years	\$ 572.00
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 _____
 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 6th day of October, 2016.

MICHELE STANCATI
Town Clerk

TOWN BOARD
TOWN OF SOUTHEAST, NY

2#4

TWO STARR RIDGE CORP
RESOLUTION RELEASING PERFORMANCE SECURITY
AND ESTABLISHING LANDSCAPE AND STORM WATER MAINTENANCE BONDS

RESOLUTION NO. _____ / 16

October 6, 2016

INTRODUCED BY: _____

SECONDED BY: _____

WHEREAS, the Town Board is in receipt of a recommendation from the Town Engineer dated September 23, 2016 recommending the release of performance security for the TWO STARR RIDGE CORP commercial site plan located at Three Starr Ridge Road (Tax Map 68.-2-1) and recommending the establishment of a Landscape Maintenance Bond and a Storm Water Maintenance Bond; and

WHEREAS, upon review of such recommendation, 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:

<u>PROJECT NAME:</u>	<u>AMOUNT:</u>	<u>REDUCED TO:</u>
Two Starr Ridge Corp	\$43,500.00	Release \$-0-
Establish:		Landscape Maintenance
		Bond - 2 years
		\$6,000.00
Establish:		Storm Water Maintenance
		Bond - 4 years
		\$4,200.00

And be it further, **RESOLVED**, that the Town Clerk shall forward a Certified Copy of the foregoing resolution to the Planning Board Secretary forthwith.

Upon 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 6th day of October, 2016

MICHELE STANCATI
Town Clerk