

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

Notation of Exits
Pledge of Allegiance

Present: Supervisor Tony Hay
Councilwoman Elizabeth Hudak
Councilwoman Lynne Eckardt
Councilman Robert Cullen
Councilman Edwin Alvarez

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

And: 11 Persons

EXECUTIVE SESSION

Supervisor Hay made a motion to go into Executive Session to discuss a Personnel matter.
Councilwoman Hudak seconded. All in favor.

Supervisor Hay made a motion to close the Executive Session where no decisions were made.
Councilwoman Eckardt seconded. All in favor.

PUBLIC HEARING

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

Brewster Ford

Jamie LoGiudice from Insite Engineering, representing Brewster Ford, explained why they are asking the Town Board for a Special Permit. Brewster Ford would like to improve and expand their existing Motor Vehicle Dealership with a variance for front and side setbacks for parking, outdoor storage and lot coverage. They will be adding extra landscaping and employee parking will be at the Folchetti lot with a shuttle for safety. They are talking to the DOT to amend their permit and reconvening with the Zoning Board on April 18th.
Supervisor Hay asked if the issue with the Septic was resolved and it was.

Mr. John LePino stated that he was upset that the prickly bushes on his property line were taken out and asked what will be done about it. He felt it was good buffer for security. The Supervisor asked Ms. LoGiudice to work with Mr. LePino off line and get it resolved. She agreed. Supervisor Hay also received a letter from Highbridge Plaza with concerns about drainage issues and Ms. LoGiudice stated that they are presently working on it.

WORK SESSION

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

BOS Land Development

Chris Sobesky, representing BOS Land Development, is seeking access to Palmer Rd. to use as an entrance drive into the above property. The access is owned by the DEP and leased to the Town. They are currently in contact with the DEP. The other frontage of the property is on Allview Ave., which is in a residential area, and the impact would be extensive. The Highway Superintendent had some concerns using Palmer Rd with the traffic and increase in spaces for parking. They would be adding some landscaping and a retaining wall. Supervisor Hay asked if they could put some type of partial roof on the retaining wall. Mr. Sobesky stated that they are still in front of the Village Board.

Supervisor Hay stated that they will wait to hear what the DEP has to say and then make a decision.

Public Hearing Notice Requirements for Condominium Units

Supervisor Hay is looking to save the applicants that have to notify residents in Condo's some money and still stay within the intent of the law.

Town Attorney Stephens advised the Board he is looking into the possibility of notifying the Condo Associations and sending letters to everyone within 100 ft of the project. Also, getting an Affidavit of mailing or proof of mailing from the Post Office instead of sending the notices certified mail.

Rental Occupancy Fee Schedule

Supervisor Hay wants to change the wording on the Fee Schedule. It will read \$150 per unit up to 4 and \$100 per additional unit "on the same lot" instead of "in the same structure".

Supervisor Hay stated that it will be brought for a vote at the next meeting.

REGULAR MEETING

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

SET PUBLIC HEARING

Supervisor Hay made a motion to waive the rules and set a Public Hearing for Thursday May 5th, 2016 at 7:00 P.M. for Public Hearing Notices for Condos. Councilman Cullen seconded. All in favor.

RESOLUTION NO. 26 / 2016 COJAX CONSTRUCTION SETTLEMENT OF CERTIORARI PROCEEDINGS

INTRODUCED BY: Supervisor Hay
SECONDED BY: Councilwoman Hudak

WHEREAS, proceedings have been commenced in Supreme Court challenging the assessed valuation of commercial premises known generally as Cojax Construction, Tax Map No. 57.-2-29 for 2013, 2014 and 2015; 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>
Cojax Construction	57.-2-29.	2013	\$3,185,000	\$3,185,000
		2014	\$3,185,000	\$2,700,000
		2015	\$3,185,000	\$2,600,000

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 Aye
Councilman Cullen Aye
Councilwoman Eckardt Aye
Councilwoman Hudak Aye
Supervisor Hay Aye

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

RESOLUTION NO. 27 / 2016 EMPLOYEE HANDBOOK-LONGEVITY RAISES

INTRODUCED BY: Supervisor Hay
SECONDED BY: Councilwoman Eckardt

WHEREAS, the Town Board wishes to amend the Employee Handbook to add a new section entitled **“Longevity Raises; Management Positions”** to provide a schedule of longevity compensation for non-union management level employees similar to longevity increases enjoyed by employees covered by collective bargaining agreements.

NOW, THEREFORE, BE IT

RESOLVED, that a new section 700-6 is added to the Employee Handbook entitled **“Longevity Raises; Management Positions”** as follows:

Longevity Raises; Management Positions – A “management position” is a position of employment with the Town where such employee has supervisory authority and is not covered under a collective bargaining agreement. Longevity raises do not apply to elected positions.

A. If a person holding a Management Position has not received a raise greater than a raise provided for town employees covered by collective bargaining agreements, or a raise equal to or greater than raises granted to persons holding other Management Positions, the Management Position shall be entitled to a Longevity Raise on the 5th, 10th, 15th, and 20th year anniversary of their employment without a break in service.

5 th	\$	750.00
10 th	\$	1,250.00
15 th	\$	2,000.00
20 th	\$	2,500.00

B. Once a Management Position receives a raise greater than identified in paragraph “A” above in any calendar year, the anniversary date of the specific employee for future longevity raises will be the date on which such raises occurred. The graph annexed hereto and incorporated in this Employee Handbook illustrates how Longevity Raises are to be administered.

C. Positions affected by this provision: Town Accountant, Assessor, Building Inspector, Full Time Deputy Town Clerks (not to exceed two), Full Time Code Enforcement Officers (Not to exceed two), Deputy Superintendent of Highways, Fire Inspector, Full Time Justice Court Clerks (not to exceed one per Judge), Planning and Zoning Board Administrator, Supervisor's Confidential Secretary, Special Districts Administrator, Tax Receiver.

D. Whenever a vacancy occurs in any covered management position resulting from resignation of an employee or change in the elected official having appointing authority over that particular position, an incoming employee filling the position shall start at a salary at least ten (10%) percent less than the salary of the employee who previously held that position.

And be it further **RESOLVED** that the Town Clerk is authorized and directed to make the foregoing changes to the Employee Handbook forthwith; and be it further

RESOLVED, this resolution shall take effect immediately and shall be applied retroactively to January 1, 2016.

Upon Roll Call Vote:

Councilman Alvarez	<u>Aye</u>
Councilman Cullen	<u>Aye</u>
Councilwoman Eckardt	<u>Aye</u>
Councilwoman Hudak	<u>Aye</u>
Supervisor Hay	<u>Aye</u>

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

RESOLUTION NO. 28 / 2016 AMENDING TOWN FEE SCHEDULE
FOOD TRUCK PERMIT

INTRODUCED BY: Supervisor Hay
SECONDED BY: Councilwoman Eckardt

WHEREAS, a Local Law having been enacted establishing permits for Food Truck vendors; and

WHEREAS, such enactment requires amendment to the Town's Fee Schedule.

NOW, THEREFORE, BE IT

RESOLVED, the Supervisor and the Town Clerk be and hereby are authorized to make such modifications to the 2016 Town Fee Schedule to implement the amendments to the Town Code relating to the issuance of permits for Food Truck vendors as annexed hereto and made part

hereof; and be it further

RESOLVED, that the Town Clerk be and hereby is authorized and directed to publish the amended Fee Schedule on the Town's Web Site; and (b) circulate such amended fee schedule to all affected Town Departments.

UPON A ROLL CALL VOTE:

Councilman Alvarez	<u>Aye</u>
Councilwoman Eckardt	<u>Aye</u>
Councilman Cullen	<u>Aye</u>
Councilwoman Hudak	<u>Aye</u>
Supervisor Hay	<u>Aye</u>

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

TOWN BOARD COMMENT

Councilwoman Eckardt informed the public that there will be a Town wide clean up day on Saturday, April 26, and Sunday, April 27. Supplies can be picked up ahead of time at the Highway Department, or on those mornings in front of 67 Main St. There is also the yearly Earth Day Contest with the contestant's pictures being shown at Studio Around the Corner. Councilwoman Eckardt thanked Highway Superintendent Michael Bruen and Wells Middle School teacher Irene Othmer for all their help.

Councilwoman Hudak stated that the Brewster Little League opening day will be Saturday, April 26th at 9:00 AM.

Supervisor Hay stated that the Recreation Department will be holding a camp fair on May 4th from 6-8:30 pm at Lakeview Manor. All businesses, clubs, Associations and residents are welcome.

Councilman Alvarez stated that there will be a fundraiser Sunday April 17th at the Italian American Club to help raise money for the fireworks. It's \$45 per person for dinner and a show with the sounds of Sinatra. Everyone is welcome! Donations are tax deductible. The fireworks will be held July 2nd and will be a half an hour long this year.

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

Respectfully Submitted,

Michele Stancati