

TOWN OF SOUTHEAST
1360 Route 22, Brewster, New York 10509
Thursday, March 24, 2016
EXECUTIVE SESSION 6:15 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: 15 Persons

EXECUTIVE SESSION

Supervisor Hay made a motion to go into Executive Session concerning Contractual and Personnel Matters. Councilman Alvarez 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.

WORK SESSION

Discussion – ISW Highlands Shopping Center

There was a discussion about the ISW rates that were set by the Town Board. Judge Grossman ruled that the Town Board needs to look at the rates again.

Richard O'Rourke, Attorney for ISW, believes the rates were fair and wants them to stay the same. John Guastella asked if he can give the Board a handout and Supervisor Hay made a motion to accept the document and Councilman Cullen seconded. All in favor.

Mr. Guastella, a rate consultant, stated that the rates are in line with the PSC. He spoke on behalf of ISW and also felt the rates were in line based on square footage. A change based on water usage will be unaffordable to the smaller business, and would be a big change from what they signed on for.

Albert Natoli, Attorney for Home Depot and also a rate specialist, disagrees with how the Town Board set the rates and feels the rates should be based on water usage. He hopes the Town Board will look to change what the charge to Home Depot is, or litigation will continue. Home Depot believes that the landlord should absorb some of the rate costs. They feel there has been a large profit that hasn't been reinvested back into the plant. Councilwoman Eckardt asked if the Town has seen any record of the profits and maintenance and operating costs. Supervisor Hay stated that he would look into it.

Daniel Stafford, Attorney representing Eveready Dinner, disagrees with Judge Grossman in his findings; the fact that he didn't have the full record in front of him, and the fact that the respondents weren't allowed to answer; he deprived the respondents from the right of an appeal. He stated that if the Town agrees with Home Depot the rate costs would not be sustainable and the shopping center would be a ghost town.

Daniel Hollis, Attorney for Applebee's, also didn't agree with how Judge Grossman handled the case. He stated that a rate increase would put his client out of business and believes that the decision the Town Board made two years ago was proper.

Councilwoman Eckardt stated that on a side note she has had quite a few calls about the odor at the shopping center and has experienced it herself.

Resident John Lord asked the Town Board if they knew what the fixed costs were and if the capitol cost were down or paid for. Perhaps that would bring the rates down.

Supervisor Hay stated that he would speak to both parties and set a meeting for May 5th with a resolution. Any handouts given to the Town Board are available in the Town Clerks Office.

Supervisor Hay made a motion to take a brief recess and Councilman Cullen seconded. All in favor.

Supervisor Hay made a motion to end the recess and enter back into the meeting. Councilwoman Hudak seconded. All in favor.

REGULAR MEETING

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

CORRESPONDENCE

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

Correspondence Received

1. Anthony Scannapieco to Supervisor Hay Re: 2016 Federal Primary Election
2. Thomas DiNapoli to Supervisor Hay Re: January 2016 Justice Court Fund
3. Mike Levine to Resident Re: Re-classification of Property-Shore Dr.
4. NYSIF to TOSE Re: Workers' Compensation Ins.-James Ford Plumbing & Heating Co. Inc.
5. Donald Smith to County Executive Odell/G. Nacerino Re: Teen Driver Safety Awareness Month
6. Wright Risk Mgmt. to Michele Stancati (TC) Re: Workers' Compensation Claim-Employee
7. LexisNexis/First to TOSE Re: Ins. Coverage-Martin's Country Craftsman
8. Gerald Charleston to Supervisor Hay Re: NYS 2016 Preventative Maintenance Initiative Resurfacing a Section of Rt. 22
9. NYSIF to TOSE Re: Workers' Compensation Ins.-ASSGC Inc.
10. United Way to TOSE Re: 2-1-1 Helpline
11. Resident to TOSE Re: Resume
12. John Bairos to Kathleen Burgess Re: COMCAST-Updates for 2016
13. Commissioners Croft & Scannapieco to TC Re: 2016 General Election
14. Resident to TOSE Re: Resume
15. ACORD to TOSE Re: Liability Ins.-Eran Ltd. dba Mad Science
16. Justice Court Town of Philipstown to TOSE Re: TOSE v. Marin
17. NYSIF to TOSE Re: Workers' Compensation Ins.-Madison Energy Corp.
18. Leanna Dillon to Supervisor Hay Re: Justice Court Fund-Outstanding Balance
19. Myles Rich to Supervisor Hay Re: Eagle Ceremony-6/11/16
20. William Carlin to Supervisor Hay Re: Real Property Taxes Extension to 5/1/16
21. Maritza Torres to Supervisor Hay Re: Stonecrest Senior Apts. Thank You for Your Immediate Attention to Power Outage
22. Richard O'Rourke to Supervisor Hay Re: Independent Sewerage Works, Inc.-Sewer Rates
23. Resumes(2) to TOSE
24. William Miller to Supervisor Hay Re: Flag Day-6/14/16
25. NYSIF to TOSE Re: Workers' Compensation Ins.-Nicholas E. Mouganis dba Mitigation Tech.
26. Joseph Dillon to Tom LaPerch Re: Engineering Review Letter-Glickenhau Private Academy
27. Daniel Johnson to Supervisor Hay Re: NYSDOT Corrective Pavement Treatment Rtes. 120A, 172 & 312
28. Diane Greenberg to Supervisor Hay Re: Spain Agency-6/2015 Volunteer Firefighters' & Ambulance Workers' Benefits Law
29. PC Youth Bureau to TOSE Re: 2016 PC Youth Award Recipients-4/15/16
30. John Bairos to Supervisor Hay Re: 2015 Comcast Statements
31. NYMIR to TOSE Re: Seminar on Playground Equipment Insp. & Maintenance/Mgmt. Recreation
32. Resident to Laurie Bell Re: Re-Classification of Property-Shore Dr.
33. ACORD to TOSE Re: Liability Ins.-Automatic Alarm Services Inc.
34. Employee to Supervisor Hay Re: Retirement Letter
35. Edward Buroughs to TOSE Re: Preliminary Decision for Use of East of Hudson Water Quality Investment Funds for the Implementation of Stormwater Retrofit Projects in the Second Five Year Regional Retrofit Plan
36. Senator Murphy to Supervisor Hay Re: State & Municipal Facilities Capital Program Eligibility Criteria

37. Patricia Anderson to TOSE Re: United Way's 2-1-1 Website
38. Congressman Maloney to Supervisor Hay Re: Fixing America's Surface Transportation Act
39. Katie Seaburg to Supervisor Hay Re: NYSEDAP Grant
40. NYSIF to TOSE Re: Workers' Compensation Ins.-VRI Environmental Services Inc.
41. NYSIF to TOSE Re: Workers' Compensation Ins.-Costanzi Crane Inc.
42. Daniel Stafford to Supervisor Hay Re: Independent Sewerage Works, Inc. (ISW)-Revised Rate Petition File No.:11116-0002
43. P. Daniel Hollis to Supervisor Hay Re: ISW-Sewer Rate Structure
44. Albert Natoli to Supervisor Hay Re: Court Ordered Review of the Rates Charged by ISW

Foils

- June Canavan to TC Re: File-1202 Scarborough Dr.
- Steven Borneman to Plng. Dept. Re: Site Plan Approval-Fortune Ridge Subdivision
- Greg Faughnan to Plng. Dept. Re: Plng. Board File-Fields Ln.-78-2-15
- Tom Brew to Bldg. Dept. Re: File-1511 Rt. 22
- Armand DeAngelis to TC Re: File-Starr Ridge Rd.-68.-2-70
- Greg Faughnan to TC Re: File-411 N. Salem Rd.
- Dankoua Zuzana to Bldg. Dept. Re: File-24 Lakeside Rd.
- George Martabano to Bldg. Dept. Re: File-501 Orchard Hill Ln.
- William Kelly & Co. to Plng. Board Re: Plng. File-1920 Old Rt. 6
- William Kelly & Co. to Plng. Board Re: Plng. File-Brewster Ice Arena & 65 Fields Ln.
- Barbara Harrison to Bldg. Dept. Re: Bldg. & Electrical Permit-78.-1-15
- John Murphy to Bldg. Dept. Re: Survey Map-75 State Line Rd.
- David Propper to TC Re: Files-TOSE v. Sant
- Michelle Archambeau to TC Re: Permits-51 International Blvd.
- Tim Gilbert to Plng. Dept. Re: Files-131 Fields Ln., 406 Starr Ridge Rd. & 1920 Old Rt. 6
- Mark Nicholson to Bldg. Dept. Re: Survey-167 Starr Ridge Rd.
- Karina Jurek to Bldg. Dept. Re: File-14 Larkspur Dr.
- Ian Miller to TC Re: Code Violations & Complaints-1002 Ashford Circle, 1105 Village Dr., 344 Milltown Rd., 77 Peaceable Hill Rd. & 96 Maple Wood Dr.
- Orlando Dilallo to Bldg. Dept. Re: File-3 Middlebranch Ln.
- Joanne Daly to Bldg. Dept. Re: File-340 Tonetta Lake Rd.
- Stacy Wilbur to TC Re: File-11 Chamberlin Ln.
- Kirsten Rusinko to TC Re: File-67 Birch Hill Rd.
- Ian Miller to TC Re: Files-503 Twin Brook Ct. & 5602 Applewood Circle
- Madelia Parolowski to Bldg. Dept. Re: File-139 North Brewster Rd.
- Michael Vaccaro to Bldg. Dept. Re: File-11 Chamberlin Ln.
- Kevin Bach to Bldg. Dept. Re: Survey-40 Kirkham Rd.
- Jamie Spillane to Bldg. & Plng. Dept. Re: Files-Triple T Estates Subdivision
- Judith Charin to Bldg. Dept. Re: Permits & CO's-116 Allview Ave.
- David Kulow to Plng. Board Re: File-Brewster Honda Site Plan
- DSF Surveying to Bldg. Dept. Re: Survey-184 Turk Hill Rd.
- Sue Mercurio to Bldg. Dept. Re: File-Lower Mine Rd.
- DER to Bldg. Dept. Re: File-96 Maplewood Dr.
- Barbara Ward to Bldg. Dept. Re: File-400 Gage Rd.
- Keller Williams to Bldg. Dept. Re: File-17 Clematis Rd.

- Lisa Tremblay to Bldg. Dept. Re: File-3 Hughes Ln.
- Susan King to Bldg. Dept. Re: File-51 Mountain Brook Dr.
- Sharon Sheil to Bldg. Dept. Re: Files-17 Clematis Rd., 11 Beryl Ct., 90 Acorn Rd. , 8 Bradford
- Jamie Spillane to Bldg. Dept. Re: Files-68-1-25.1
- Monica Kravitt to TC Re: CO's, Septic & Survey-116 Allview Ave.
- D. McGowan to Bldg. Dept. Re: File-300 Brewster Hill Rd.
- Mike Bartolotti to TC Re: List of All Town Rds.
- Tina Mignano to Bldg. Dept. Re: File-577 North Main St.
- Kirsten Rusinko to TC Re: File-67 Birch Hill Rd.
- Megan Philipps to Bldg. Dept. Re: File-121 Maple Rd.
- Michele Nieves to Bldg. Dept. Re: File-1804 Dunhill Dr.
- Lauren Droege to TC Re: PO/Vendor Info.
- Patti Howard to TC Re: File-17 Pine View Dr.
- John Durante to Bldg. Dept. Re: File-11 Fields Ln.
- James Nixon to Bldg. Dept. Re: File-1574 Rt. 22
- Carl Silbergleit to TC Re: File-1689 Rt. 22
- Catalina Farrington to TC Re: File-64 Fields Ln.
- Eric Gillman to Bldg. Dept. Re: Files-794 Rt. 22 & 796 Rt. 22
- Danielle Dunn to Bldg. Dept. Re: CO & Survey-24 Lakeside Rd.
- Luanne Kozak to Bldg. Dept. Re: File-59 Lakeview Dr.
- Lisa Brooks to TC Re: Brewster Library Funding
- Susan King to TC Re: Survey-23 Crosby Ave.
- Anita Zander to Bldg. Dept. Re: File-259 Starr Ridge Rd.
- John Handy to Bldg. Dept. Re: File-345 Gage Rd.
- Patti Houard to Bldg. Dept. Re: File-17 Pine View Dr.
- Peter Levy to Bldg. Dept. Re: CO's & Permits-45 Salmons Hollow Rd.
- James Copeland to Bldg. Dept. Re: File-584 Milltown Rd.
- B. Beshears to Bldg. Dept. Re: File-102-104 Minor Rd.
- K. Shin to Bldg. Dept. Re: Survey-13 Bradley Ct.
- Lauren Droege to TC Re: PO/Vendor Info.

Emails

1. Supervisor Hay to Douglas Zimmerman Re: Auditing Services for TOSE
2. Tom Fenton to Ashley Ley/Plng. Brd/TOSE Re: Santucci Property-5 Shady Ln.
3. Brewster Chamber of Commerce to TOSE Re: February Dinner & News-2/17/16
4. Linda Bull to TC Re: 1/16 Edition-Hudson Valley-Catskill Region E-News
5. Edward Burgess to TC Re: NYS Comptroller's Local Gov. Online Municipal Contact Verification
6. Supervisor Hay to Andrew Arias Re: Auditing Services for TOSE
7. Vivian Levin to Tom LaPerch/Bob Cullen/Will Stephens Re: Lead Agency-Barrett Hill
8. Victoria Desidero to Ashley Ley/Plng. Board/TOSE Re: Training Credits for 2016
9. Resident to Mike Bruen Re: Electronic Recycling
10. Madelyn Mirabel to TC Re: Educational Resources for NY Students
11. Michael Alleva to Supervisor Hay Re: Legislative Update-Senator Murphy
12. Supervisor Hay to Town Board Re: TOSE Hot Water Heater

13. Amy Campanaro to Supervisor Hay Re: Print TOSE Bicentennial Book 1988
14. Kathleen Abels to TOSE Re: NYSEG Electric Outages
15. Ted Eglit to Supervisor Hay Re: Auditing Services for TOSE
16. Supervisor Hay to Kathleen Abels Re: NYSEG Electric Outages
17. TC to Lori Glassman Re: Notice of Appeal-TOSE v. Marin
18. Victor Cornelius to Tom Fenton Re: TOSE Infrastructure Funding
19. Supervisor Hay to Diane Greenberg Re: TOSE Number of Employees
20. Kathleen Abels to Supervisor Hay Re: Tree Down With Wires Fell Onto Town Rd.
21. 911 Info. to Kenny Clair Re: PC 911-TransCare to EMSTAR
22. Resident to Supervisor Hay Re: Village of Brewster Regular Mtg.-Peaceable Hill Water Rates
23. John Duncan to TOSE Re: Bob Palmer Project-4/30/16
24. Linda Bull to TOSE Re: Local Gov. Records. Mgmt. Improvement Fund Grant Info. Sessions
25. Gina Loprionzo to TOSE Re: Brewster Library Reading Room Dedication-2/26/16
26. Supervisor Hay to Myles Rich Re: Eagle Scout Ceremony
27. Resident to Supervisor Hay Re: Southeast Roadside Trash
28. Robert Cuomo to Kenny Clair Re: MKMG Name Change-CareMount Medical
29. Resident to Supervisor Hay Re: Street Lighting at the Sport Complexes-Sutton Place
30. Supervisor Hay to John Bairos Re: COMCAST Coming to SE Senior Meeting-4/19/16
31. Supervisor Hay to Mike Bruen Re: Debris Left by Storm on Settles Hill Rd.
32. Supervisor Hay to Kathleen Abels Re: Thank You from Stronecrest Senior Housing Apts.
33. Resume to TOSE
34. Environmental Facilities Corp. to TC Re: NYS Water Grants Webinar-3/15/16
35. Supervisor Hay to Recipients Re: TOSE Requesting Quote to Appraise Property
36. Kathleen Abels to Supervisor Hay Re: Outage Alert-March Emergency Preparedness Tip
37. Lynn Eckardt to Erin Meagher Re: Earth Day-Village Clean Up Day
38. Graham Trelstad to Victoria Desidero Re: Barret Hill Lead Agency Dispute
39. Greg Folchetti to Supervisor Hay Re: Court Personnel
40. Willis Stephens to Putnam Press Times Re: Public Hearing Notice-ZBA
41. Willis Stephens to Putnam Press Times Re: Public Hearing Notice-Food Truck
42. Jim Garvey to Supervisor Hay Re: Citizenserve E-Government Software
43. Bob Cullen to Roger Gross Re: Fireworks Event Response-7/2/16
44. Wesley Stewart, Granicus, Inc. to TC Re: NY Webcasting Requirements Info.
45. Victoria Desidero to Kent Sanders Re: Request for Documentation on Barrett Hill Rezoning
46. David Chico to TC Re: NYS Animal Population Control Fund
47. Robin Hoyt to Supervisor Hay Re: TOSE/Eminent Domain
48. Roger Gross to Supervisor Hay Re: Issues Discussed With Morningthorpe Bridge, Tilly Foster & Bike Trail
49. Lynn Eckardt to TOSE Re: SE Compressor Station Gas Loss Events 2012-2014 from DEC
50. Supervisor Hay to Resident Re: Verizon FIOS Cable
51. Laurie Bell to TOSE Re: Discontinued Cert: American Tower 2013 & 2014
52. Roger Gross to TOSE Re: 2016 July Fireworks Event
53. Supervisor Hay to Peter DiFabio Re: Copier Industry and Scams
54. Resident to Supervisor Hay Re: Brewster's Homeless
55. Resident to TOSE Re: Review Code Affecting Home Occupations
56. Stephen Coleman to Joseph Dillon/Ashley Ley/Plng. Brd./TOSE Re: Bravcor LLC-Wetlands Review

57. Christian DiPalermo to Supervisor Hay Re: Algonquin Incremental Market Project-Tulip Rd. & SE Compressor Station
58. Resident to Supervisor Hay Re: Paving of Rt. 22
59. Margaret Carey to TC Re: TOSE Info. for Hamlet Hub
60. Ashley Ley to TC Re: Barrett Hill
61. Ashley Ley to Terri Hahn/cc: TOSE Re: Barrett Hill
62. Kenny Clair to TOSE Re: Burn Ban, 3/16-5/14
63. Melanie O'Meara to TOSE Re: Permit Application #NAN-2015-00435-WOM by Fortune Ridge Home Builders
64. Supervisor Hay to Rick O'Rourke Re: Revised Rate Petition for ISW
65. Roger Gross to TOSE Re: Legislative Position, District 6
66. David Chico to TC Re: Clarification-Dept. of Agriculture-APC Checks

Correspondence Sent

1. Tom LaPerch to John Folchetti Re: Escrow Acct./Las Mananitas/LSAR Reality, Inc.
2. Tom LaPerch to Jamie LoGiudice Re: Escrow Acct./Vescio Barn
3. Supervisor Hay to NYS Dept. of Labor Re: Determination of Benefits
4. Supervisor Hay to Andrew Arias & Theodore Eglit Re: Auditing Services
5. Supervisor Hay to Douglas Zimmerman Re: Auditing Services
6. Supervisor Hay to Fred Astaire Dance Studio Re: Supporting the Local Business
7. Laurie Bell to Seven Sutton Place & Ace Endico Re: Industrial Development/Revenue Bonds
8. TC to Commissioners Croft & Scannapieco Re: 2016 General Election
9. Timothy Froessel to Barbara Barosa Re: Variances-Brewster Ford
10. Tom LaPerch to ARB (2) Re: Review-Brewster Ice Arena/7 Sutton Place & Eight 4 Five Svcs.
11. Levon Bedrosian to Potential Bidders Re: Hauling & Disposal of Liquid Sludge
12. Mike Levine to Multicare Tonetta Lake Inc. Re: Notice of Violation-330-350 Tonetta Lake Rd.
13. Supervisor Hay to Senator Murphy Re: Funding Support for SE Infrastructure Issues
14. Mike Levin to Kellison Holdings Re: Notice of Violation-Property Maintenance for 1015 Rt. 22
15. Mike Levin to Residents (2) Re: Notice of Viol.-Property Maintenance for 67.7-1-8 & 56.8-2-37

VOUCHERS

Supervisor Hay made a motion to approve the Vouchers in the amount of \$959,370.99. Councilman Alvarez seconded. All in favor.

MEETINGS

Supervisor Hay made a motion to set the following meeting dates. Councilwoman Hudak seconded. All in favor.

All meetings will be held at 1360 Route 22, Brewster, New York, at 7:00 P.M. unless otherwise noted.

Thursday, April 7, 2016 – Work Session / Regular Meeting

- Public Hearing for Brewster Ford

Thursday, April 21, 2016 – Work Session / Regular Meeting

BUDGET TRANSFERS

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

RESOLUTION NO. 21 / 2016 RESOLUTION ADOPTING LOCAL LAW

AMENDING TOWN CODE CHAPTER 103 – PEDDLING AND SOLICITING

INTRODUCED BY: Supervisor Hay

SECONDED BY: Councilwoman Hudak

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 103 of the Code of the Town of Southeast entitled Peddling and Soliciting, in particular by adding a new Article II of such Chapter relating to Food Vending Trucks; 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 March 10, 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. 3 of 2016 pursuant to the Municipal Home Rule Law to amend Chapter 103 of the Town Code (“Peddling and Soliciting”) by adding a new Article II thereto to authorize the issuance of a limited number of vendor permits for the operation of Food Trucks within the Town of Southeast; 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; and (b) 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>
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.

RESOLUTION NO. 22 / 2016 PUTNAM COUNTY REAL PROPERTY TAX SERVICES

INTRODUCED BY: Supervisor Hay

SECONDED BY: Councilman Alvarez

WHEREAS, the Town of Southeast contracts with Putnam County (“County”) for the provision of certain services in connection with the preparation of the annual assessment rolls and related documentation on a fee for services basis; and

WHEREAS, the Town Board finds that the services performed by the County are essential to the real property assessment and taxation process.

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor is hereby authorized to execute and deliver to the County a Putnam County Real Property Tax Service Contract dated March 7, 2016 for the 2016 Tax Year in the form and substance annexed hereto; and be it further

RESOLVED, that the Town Clerk shall forward a copy of this resolution to the Assessor forthwith.

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. 23 /16 DURANTE RENTALS – 11 FIELDS LANE

RESOLUTION ESTABLISHING PERFORMANCE BOND

INTRODUCED BY: Supervisor Hay

SECONDED BY: Councilman Alvarez

WHEREAS, the Town Board is in receipt of a recommendation from the Town Engineer dated March 21, 2016 and a referral from the Town of Southeast Planning Board dated March 22, 2016 with respect to the establishment of a performance Bond for the site plan associated with DURANTE RENTALS for premises located at 11 Fields Lane, Tax Map No. 78.-2-72; 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:

PROJECT NAME:

BOND AMOUNT

DURANTE RENTALS	Site Improvements	\$ 29,640.00
	Landscaping / Erosion	\$ 9.640.00

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 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. 24 / 16 SPACE ON THE FARM – 400-406 STARR RIDGE ROAD

RESOLUTION ESTABLISHING PERFORMANCE BOND

INTRODUCED BY: Supervisor Hay

SECONDED BY: Councilwoman Eckardt

WHEREAS, the Town Board is in receipt of a recommendation from the Town Engineer dated March 17, 2016 and a referral from the Town of Southeast Planning Board dated March 22, 2016 with respect to the establishment of a performance Bond for the site plan associated with SPACE ON THE FARM for premises located at 400-406 Starr Ridge Road, Tax Map No. 79.-1-39; 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:

PROJECT NAME:

BOND AMOUNT:

SPACE ON THE FARM

Site Improvements \$ 53,500.00

Erosion & Sediment \$ 4,400.00

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 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. 25 / 2016 TOWN OF SOUTHEAST CULTURAL ARTS COALITION
– LEASE AGREEMENT PREMISES: P/O 67 MAIN STREET, BREWSTER, NY**

INTRODUCED BY: Supervisor Hay

SECONDED BY: Councilwoman Eckardt

WHEREAS, the Town of Southeast Cultural Arts Coalition, Inc. (“TOSCAC”), seeks to use and occupy portions of the “Old Town Hall” building, 67 Main Street, Brewster, NY, consisting of

portions of the 1st (basement) level and the 3rd (Auditorium and Mezzanine) level for a period of ten (10) years, together with two (2) successive ten (10) year options; and

WHEREAS, the Town Board of the Town of Southeast is willing to enter into a lease agreement with TOSCAC under certain terms and conditions; and

WHEREAS, it is the sense of this Town Board the premises are currently vacant and deemed surplus to the needs of the Town and that the occupancy of a portion of the Old Town Hall building by TOSCAC will be in the best interests of the Town of Southeast and its residents; and

WHEREAS, TOSCAC has made efforts to obtain grant funding and private donations to assist in the rehabilitation of the 3rd level to make such space a lawful place of public assembly; and

WHEREAS, occupancy of the 3rd level shall be limited to construction and improvement personnel and purposes until such time as TOSCAC, working in concert with the Town, brings such space up to code and an appropriate certificate of occupancy is issued.

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor is hereby authorized to execute a lease agreement with the Town of Southeast Cultural Arts Coalition, Inc. for a term to expire December 31, 2026 for space located at 67 Main Street, under terms and conditions contained in a lease agreement as prepared and approved by the Town Attorney.

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.

MOTION TO APPROVE CHEMICAL BID

Supervisor Hay made a motion to approve the recommendation of Special Districts Administrator Levon Bedrosian to award the bid for chemical supplies to the lowest bidders, and in one case two bidders were approved for the same chemical because their bid was the same. Councilman Cullen seconded. All in favor.

PROCLAMATION FOR TEEN DRIVER SAFETY MONTH

Supervisor Hay made a motion to approve the following Proclamation for Teen Driver Safety Awareness Month. Councilman Cullen seconded. All in favor.

Proclamation

April 2016 as Teen Driver Safety Awareness Month

WHEREAS, statistics and experience demonstrate that the greatest danger to our youth in the Town of Southeast and throughout our country, are the dangers posed from traffic crashes; and

WHEREAS, highway crash statistics inform us that although teen drivers make up only 7% of the driving population, they comprise 18% of the injury related automobile crashes; and

WHEREAS, the leading cause of accidental deaths to our youthful population throughout the United States are automobile accidents; and

WHEREAS, analysis shows us that the reasons for teen overrepresentation in injury related automobile crashes include: driver inexperience, excessive speed, unnecessary risk taking, inattentive driving and use of alcohol and drugs; and

WHEREAS, in the Town of Southeast and throughout the county, we have too often experienced a tragedy with the death of a teen driver at the wheel. Many of these deaths have occurred during the spring and summer months with a high incidence rate during the period leading up to prom season; and

WHEREAS, all accidents are preventable and crash rates can be lowered through the use of education and awareness programs through the use of our school systems, law enforcement programs and youth services organizations such as Boy Scouts, Girl Scouts, Junior RTC programs and the Civil Air Patrol, just to name a few; and

WHEREAS, these programs work best when there is a period set aside for local government at every level, our school districts and churches, synagogues and youth service organizations come together to provide these educational programs; now therefore be it

RESOLVED, that the Town of Southeast Town Board do hereby proclaim April 2016 as Teen Driver Safety Awareness Month in the Town of Southeast . We encourage all levels of government, our school districts, law enforcement, our churches and synagogues, our youth service organizations and all the citizens of the Town of Southeast and throughout Putnam County to support programs that promote teen driver safety awareness thereby protecting one of our most precious resources, our children and grandchildren.

TONY HAY
SUPERVISOR

EDWIN ALVAREZ

LYNNE ECKARDT

ROBERT CULLEN

SOUTHEAST TOWN BOARD

ELIZABETH HUDAK

SUPERVISOR'S FINANCIAL REPORT

Supervisor Hay stated that we are early into the budget year so everything is in great shape including the Highway Department.

PUBLIC COMMENT

John Lord asked if the Town Board had a rate consultant when they set the rate for ISW and Supervisor Hay stated yes. He asked if the purpose of the rate was so the entity has a fair rate of return on their investment. Town Attorney Stephens stated that it's very complicated because different consultants have different opinions. The entity providing the service has to have a fair rate of return along with the people providing the revenue. Mr. Lord asked if the consultant should be looking to ISW to provide as much info on their cost. Town Attorney Stephens stated that they did and no one challenged the revenue, just the rate. Mr. Lord stated that if the rate is changed, Home Depot should not have an opportunity to call back anything they have already given. Supervisor Hay stated that they won't.

TOWN BOARD COMMENT

Councilwoman Hudak wished everyone a Happy Holiday weekend and a snowless Spring.

Councilwoman Eckardt wished Councilman Cullen a Happy Birthday and informed everyone that the Town Cleanup day is Saturday, April 16th and Sunday, April 17th. She will be in front of 67 Main St giving out vests and bags from 8 am to 12 pm both days and you can pick them up ahead of time at the highway department. She also thanked the Village for scheduling there cleanup on the same weekend, on Sunday, April 17th and the Milltown Rd Association, also scheduled for that weekend. Councilwoman Eckardt also thanked Highway Superintendent Mike Bruen for all his help and Brewster Shell for donating vest and gloves.

Supervisor Hay stated that we get a lot of calls about dumping garbage and if you see someone, get there license plate and call us.

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

Respectfully Submitted,

Michele Stancati
Southeast Town Clerk