

TOWN OF SOUTHEAST
1360 Route 22, Brewster, New York 10509
Thursday, May 19, 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: 10 Persons

EXECUTIVE SESSION

Supervisor Hay made a motion to go into Executive Session and Councilwoman Eckardt seconded. All in favor.

Councilman Alvarez made a motion to close the Executive Session where no decisions were made and Councilwoman Eckardt seconded. All in favor.

PUBLIC HEARING

Special Permit-Private Cemetery 2-12 Castle Hill Lane

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

Mr. O'Rourke was delayed so Supervisor Hay made a motion to keep it open and defer this for a while to give Mr. O'Rourke some time to get here. Councilman Alvarez seconded. All in favor.

Annual MS4 Report

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

Supervisor Hay asked the Public and Town Board if they had any comment about the MS4 Annual Report and there was no comment.

Councilman Cullen made a motion to close the Public Hearing and Councilman Alvarez seconded. All in favor.

Special Permit – Private Cemetery 2-12 Castle Hill Lane

Mr. O'Rourke was indefinitely delayed so Chris Munch, also representing the owners, explained that the owners wanted to have their father interred in a mausoleum on the property. They went through the permit process with the Board of Health, but didn't get a permit from the Town, so they are doing that now. Town Attorney Stephens asked if the casket is buried below ground, and explained that if it is there wouldn't be a need for a variance. There were no Public or Town Board comments.

Supervisor Hay made a motion to close the Public Hearing and Councilman Cullen seconded. All in favor.

WORK SESSION

Putnam County Supervisor of Planning – Morning Thorpe Bridge & MTA Bridge

Mr. Mark Rosa, the Putnam County Supervisor of Planning, gave an update on the Sodom Road and Morning Thorpe Bridges. He stated that they are both federally funded and will be replaced with ADA pedestrian upgrades and sidewalks. Councilwoman Eckardt asked if the plans can be put on the County website with a link to the Southeast website. Mr. Reynolds, the project engineer, said he would certainly provide a PDF to the Town. If anyone has any questions or comments they would like to make they can send them to Mr. Mark Rosa, PC Dept of Highways & Facilities, 842 Fair St, Carmel, NY 10512 by June 6, 2016.

New Town of Southeast Website

Victoria Desidero, Secretary to the Planning, Zoning and ARB Boards, gave a presentation to the public on what the new website will look like. She showed some of the highlights and how very user friendly it will be. Ms. Desidero took the lead, working on this all year. It should be up and running in about a week, using the same email address. She also thanked her committee which consisted of Levon Bedrosian, Patty Bohrman, Cathy Chiudina, Susan Tobacco, Laurie Bell, Michele Stancati, Lynne Eckardt and Tony Hay.

Electrical Inspectors

Supervisor Hay made a motion to waive the rules and add Electrical Inspectors to the work session. Councilman Alvarez seconded. All in favor.

There was a discussion about resigning a municipal agreement with Putnam County to continue with a County Electrical Inspector to perform electrical inspections within the Town's jurisdiction. The Supervisor asked the Building Inspector and he thought if we didn't, it would be an added burden to his department. Councilman Cullen thought it would be more efficient for the residents to have the building department to do the inspections. The Town Board agreed to look into it further before making a decision.

REGULAR MEETING

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

CORRESPONDENCE

Correspondence Received

1. Spectra Energy to Supervisor Hay Re: Scope of Work for Geotechnical Survey Work
2. Office of the State Comptroller to Supervisor Hay Re: Justice Court Fund-3/16
3. Beth Maley to Supervisor Hay Re: The Putnam Chorale
4. Brewster Elks Lodge #2101 to TOSE Re: Flag Day-6/14/16 & Senior Citizen Picnic-6/27/16
5. Anna Ostrofsky to Supervisor Hay Re: Westchester/Putnam Youth Symphony Concert
6. Edward Harney to TOSE Re: Algonquin Gas Transmission Continuing Construction Activities
7. Marie DePalo to John Costilow Re: Outstanding Bonds & BANs for SE
8. Michael Corso to TOSE Re: Developing a Clean Energy Standard
9. Michael Moriarty to Susan Picarillo Re: Approval of PC, NY Hazard Mitigation Plan Update
10. NYMIR to Supervisor Hay Re: 2016 NYMIR Annual Meeting-5/6/16
11. Peter Hansen to Supervisor Hay Re: Court Security Invoice, Jan.-March, 2016
12. Lenny Perfetti to TOSE Re: Public Works Projects Safety
13. Tom Boissonnault to Supervisor Hay Re: Grand Opening of Wells Park-5/15/16
14. NYSIF to TOSE Re: Workers' Compensation Ins.-ATNM Corp.
15. NYSIF to TOSE Re: Workers' Compensation Ins.-Putnam Steel Inc.
16. Resident to TOSE Re: Brewster Heights Water Bills
17. Anita Gilbert to Supervisor Hay Re: Direct and Underlying Governmental Activities Debt
18. Michael Corso to TOSE Re: Clean Energy Standard Program
19. Great American Ins. Company to TOSE Re: Cancellation-Price & Price Enterprises, Inc. dba Melwain Surety Bonds
20. ACORD to TOSE Re: Liability Ins.-Miller Environmental Group Inc.
21. Ellie McCaughey to TOSE Re: Board of Assessment Review Training
22. NYSIF to TOSE Re: Workers' Compensation-ATNM Corp.
23. USA Federal Energy Regulatory Commission to Supervisor Hay Re: Notice of Intent to Prepare an Environmental Impact Statement for the Planned Access Northeast Project
24. Jack Moodie to Supervisor Hay Re: Certificate of Final Special Franchise Full Value
25. Greystone to TOSE Re: Risk and Insurance Mgmt. Dev.-Brewster Station & SE Brewster N
26. Louis Picani to TOSE Re: Deduction of Initiation Fee By Employer

27. David Chico to TC Re: Dog Licensing Fees/Animal Population Control Fund
28. East of Hudson Watershed Corp. to TOSE Re: Board of Directors Quarterly Meeting
29. ACORD to TOSE Re: Liability Ins.-George Hartshorn Jr. & Sons Inc.
30. East of Hudson Watershed Corp. to TOSE Re: Board of Directors Quarterly Meeting-5/10/16
31. Nathan Jacobson to Tom LaPerch Re: Farm to Market Rd.-Review for Final Approval
32. Nathan Jacobson to Tom LaPerch Re: Farm to Market Rd.-Bond Estimate
33. Lisa Johnson to TOSE Re: PC Real Property Tax Service Contract 2016
34. Lisa Johnson to TOSE Re: Mortgage Tax Payments-10/1/15-3/31/16
35. Franklin Gessner to Supervisor Hay Re: FERC Scoping Meeting Notification, Proposed Algonquin Gas Transmission, LLC, Access Northeast Project
36. Ginny Nacerino to TOSE Re: Preliminary Decision for Use of East of Hudson Fund
37. Putnam Symphony Orchestra to TOSE Re: Music of Italian Composers-Concert
38. Edward Harney to TOSE Re: Algonquin Gas Transmission Notification of Activity

Foils

- C. Bruni to Bldg. Dept. Re: Plans/Specs for Propane Installation-Hotel Rt. 121
- James Mulvey to Bldg. Dept. Re: File-100 Guinea Rd.
- Andrea Forte to Bldg. Dept. Re: CO's & Permits-273 Starr Ridge Rd.
- Jay Hogan to Plng. Dept. Re: Wetland Permit-Salmons Daily Brook
- Vanessa Lango to Bldg. Dept. Re: File-5602 Applewood Circle
- Filiz Dalo to Bldg. Dept. Re: CO for Barn/Shed-1 Shady Ln.
- Eric Savitch to Bldg. Dept. Re: File-1 Shady Ln.
- Eric Gillman to Bldg. Dept. Re: CO's, Permits & Survey-53 Bloomer Rd.
- Carol McLoughlin to Bldg. Dept. Re: Survey-57 Milltown Rd.
- Nate Morse to Bldg. Dept. Re: Survey-116 Allview Ave.
- Cindy Haas to Bldg. Dept. Re: File-121 Maple Rd.
- Deborah Rosenhaus to Bldg. Dept. Re: File-57 Seven Oaks Ln.
- Johnathan Nohinor to Bldg. Dept. Re: CO's, Permits & Tanks -3492 Danbury Rd.
- Peder Scott to Plng. Dept. Re: Site Plan-3867 Danbury Rd.
- Denise Moccio to Bldg. Dept. Re: Survey Map-1 Waterview Lane
- Michele Nieves to Bldg. Dept. Re: File-47 Ives Farm Rd.
- Kate Morrison to TC Re: Proposed Senior Housing in PC
- Charles Gottlieb to Bldg. Dept. Re: File-1515 Rt. 22
- AnnPaule Cream to Bldg. Dept. Re: File-85 Welfare Rd.
- Joan LaRusso to Bldg. Dept. Re: Floor Plans-188 Joe's Hill Rd.
- Carol Ciriaco to Bldg. Dept. Re: Survey, CO's & Permits-4 Bass Ln.
- Barbara Harrison to TC Re: Dog Licenses' Records
- Laura Fasciglione to Bldg. Dept. Re: CO's & Permits-1403 Eagles Ridge Rd.
- Carol Ceirco to Bldg. Dept. Re: CO's & Survey-4 Bass Lane
- Christine MacDonald to Bldg. Dept. Re: CO's & Surveys-704 Chestnut Dr. & 3105 Morgan Dr.
- Kelly Wilsey to TC Re: Waste Disposal Agreement
- Filiz Dalo to Bldg. Dept. Re: File-45.84-22
- Jimmy McConnell to Bldg. Dept. Re: File-253 North Brewster Rd.
- David Bachman to Bldg. Dept. Re: File-1944 Rt. 22
- James Cuesta to Bldg. Dept. Re: CO's., Survey & Permit-47 Ives Farm Rd.

- Lisa Liffland to Bldg. Dept. Re: File-26 Larkspur Dr.
- Vanessa Lango to Bldg. Dept. Re: File-3405 Morgan Dr.
- Lisa Trembley to Bldg. Dept. Re: File-7 Ames Rd.
- Ann Fanizzi to TC Re: 2004 Correspondence Listed on Agenda
- Sarah Jones to TC Re: FOIL Records Appeals Officer
- Peter Levy to Bldg. Dept. Re: File-1503 Nutmeg Dr.
- Joanne Daly to Bldg. Dept. Re: File-2596 Carmel Ave.
- Kathleen Mackay to Bldg. Dept. Re: File-61 Acorn Rd.
- Allison Andino to Bldg. Dept. Re: File-20 North Rd.
- Anna Marie Cataldo to Bldg. Dept. Re: File-563 Rt. 312
- Stanley Padolf to Assessor Re: File-40 Farm Lake Ct.
- Lana Leonelli to Assessor Re: File-24 Farm Lake Ct.
- Alfredo Reis to Bldg. Dept. Re: Property Records-14 Marlin Rd.
- Eric Gillman to Bldg. Dept. Re: CO's, Permits & Violations-6103 Chestnut Dr.
- Derek Alberto to Bldg. Dept. Re: Site Plan-31 Overlook Lane
- Gloria Hernandez to Bldg. Dept. Re: File-702 Twin Brook Ct.
- Kyle Winter to Assessor Re: Property Cards & Tax Roll Info.-230 Peach Lake Rd.
- Michele Nieves to Bldg. Dept. Re: File-14 Marlin Rd.
- Kyle Winter to Fire Inspector Re: Documented Hazardous Material Spills-230 Peach Lake Rd.
- Kyle Winter to Bldg. Dept. Re: CO's, Permits & Surveys-230 Peach Lake Rd.
- Ryan Sullivan to Bldg. Dept. Re: File-81 Elmwood Dr.
- Kirsten Rusinko to Bldg. Dept. Re: Files-67 Birch Hill Rd. & 1 Waterview Lane
- Eric Gillman to Bldg. Dept. Re: CO's, Permits & Violations-1 Shady Lane
- Joseph Constantino to Bldg. Dept. Re: Files-11 Chamberlain Lane
- Doreen Reid to Bldg. Dept. Re: File-529 Rt. 312
- Hogan & Rossi to Plng. & Bldg. Dept. Re: Files-Shady Lane
- Bobbi Zacchi to Bldg. Dept. Re: CO's & Permits-33 Bloomer Rd.
- Putnam Construction to Bldg. Dept. Re: Survey-19 Shore Dr.
- Eileen Conitied to Bldg. Dept. Re: Survey-204 Milltown Rd.
- Stanley Padolf to Assessor Re: Appraisal of Home & Property
- Linda Finn to Bldg. Dept. Re: CO's & Surveys-502 Essex Ct. & 90 Harvest Dr.
- Kyle Winter to Assessor Re: Tax Roll Info-230 Peach Lake Rd.
- Resident to Bldg. Dept. Re: Oil Tank Removal-99 Lakeview Dr.
- Al Matticow to Plng. Brd. Re: File-Strazza Subdivision-Doansburg Rd.
- Derek Alberto to Bldg. Dept. Re: Septic System Paperwork-31 Overlook Lane
- Grace Vinciguerra to Bldg. Dept. Re: Files-33 Brewster Woods & 99 Lakeview Dr.
- Byron Simenez to Bldg. Dept. Re: File-81 Elmwood Dr.
- Linda Olsen to Bldg. Dept. Re: Files-84 Vails Lake Shore & 421 Brewster Hill Rd.
- David Alderisio to Special Dist. Re: Water Usage-988 Rt. 22
- Peter Levy to Bldg. Dept. Re: File-2004 Holly Stream Ct.
- Carla Palacios to Bldg. Dept. Re: CO's, Permits, & Surveys Re: 220 Foggintown Rd.

Emails

1. Christian DiPalermo to Supervisor Hay Re: Algonquin Gas Transmission Continuing Construction Activities
2. Cosimo Pagano to Warren Lucas Re: Certification of Project Completion-Peach Lake
3. Dina Colavito to Supervisor Hay Re: Maintenance of Rt. 312
4. Mike Levine to Supervisor Hay/Tom Fenton Re: Creative Kids-Lakeview Plaza-1515 Rt. 22
5. Yolanda Arce to Supervisor Hay Re: Busing for Homeless Shelters
6. Resident to Supervisor Hay Re: Thank you for Quick Response-Highview Terrace
7. Barbara Barosa to TOSE Re: PC Png. Dept. & NYSDOS Training Opportunity-5/3/16
8. Richard O'Rourke to Supervisor Hay Re: Discussion & Decision on ISW Sewer Rates
9. Kevin Schick to Supervisor Hay Re: Invoice for McGrath & Company, Inc.
10. Mike Liguori to Tom LaPerch Re: Referral to Png. Brd.-5 Shady Ln.
11. Ian Miller to Bob Cullen Re: Senator Murphy's Moving Veterans' Wall-5/2/16
12. John Costilow to Liz Hudak Re: Financial Audit
13. Assemblyman Katz to Putnam & Westchester County Re: Consolidated Highway Improvement Programs (CHIPS) Figures
14. Supervisor Hay to Victoria Dilonardo Re: E-Recycling Program
15. Bernard Baker to Levon Bedrosian Re: Birch Hill Water District
16. TC to Resident Re: SE Court Phone Number
17. Laurie Bell to Town Board Re: Discontinued Certioraris
18. Al Natoli to Supervisor Hay Re: Home Depot's Rate Complaint Regarding Independent Sewage Works
19. Sarah Jackson to Michele Stancati, (TC) Re: SE Website Feedback
20. Kathleen Abels to TOSE Re: NYSEG and R&G News Release: Energy Efficiency Prog. Update
21. Peter Fragiacomto to Supervisor Hay/Levon Bedrosian Re: Brewster Little League-Dumpster at Markel
22. Barbara Barosa to Png. & Zoning Dept. Re: PC Png. Dept. & NYSDOS Training Opportunity 5/3/16
23. Christian DiPalermo to Supervisor Hay/TC Re: SE Gas Line Release Along Dingle Ridge
24. Jamie LoGiudice to TC Re: Brewster Ford
25. Resident to Supervisor Hay Re: Road Cleanup at Brewster Heights
26. Willis Stephens to Putnam Press Re: Public Hearing Notice
27. Willis Stephens to Supervisor Hay Re: Proposed Local Law #4
28. Levon Bedrosian to TOSE Re: Town Mowing Contract
29. Al Natoli to TOSE Re: Independent Sewage Corp. Rate Review, Filing by Home Depot
30. Shannon Hearnes to TC Re: FCC Spectrum Lease for SE
31. Robert Weis to TOSE Re: PC Bar Association Law Day-5/4/16
32. John Duncan to TOSE Re: Bob Palmer Project-4/30/16
33. TC to Eileen Hogan Re: Request for Judicial Intervention-TOSE 2015-003
34. Tom Fenton to Bonnie Colombo Re: SWO-25 Pumphouse Rd.
35. Stephen Bly to Supervisor Hay/Cathy Chiudina Re: Re-Approval of Site Plan-Putnam Lake Substation
36. Supervisor Hay to TOSE Re: Brewster Library
37. Resident to Supervisor Hay Re: Meter Boxes on Lincoln Rd.
38. Mike Levine to Supervisor Hay Re: 40 South Rd.
39. Meghan Taylor to TOSE Re: Mid-Hudson-Downtown Revitalization Initiative
40. Brewster Elks to Supervisor Hay Re: Annual Memorial Golf Outing-6/6/16
41. Bill Evans to TOSE Re: Brewster Rotary Fundraiser Events

42. Resident to Victoria Desidero Re: Planning Brd. Special Permit Request-Shady Ln.
43. Betsy Cerone to Rick O'Rourke Re: Fortune Ridge Sewer Rates
44. Shana Vitaliani to Mike Levine Re: Update on 365 Rt. 22, Putnam Hospital Ctr.
45. Resident to Vincent Perrin Re: Discolor at Springhouse Water District
46. Eileen Hogan to Supervisor Hay Re: NYMIR Training Opportunities & Spring Newsletter
47. Linda Bull to TOSE Re: Hudson Valley-Catskill Region E-News
48. Lynne Eckardt to Supervisor Hay Re: County's ATI Program-Clean Litter from Roadways
49. Yanna Guo to Supervisor Hay Re: United Way, Give Local-5/3-4
50. Supervisor Hay to Millard Rose Re: Town's Web Services
51. Resident to Mike Levine/Bonnie Colombo Re: Complaint at 100 Scenic Ridge Dr.
52. Mark Rosa to Supervisor Hay Re: Info. Mtg. for Sodom Rd. & Morningthorpe Ave. Bridge
53. Victoria Desidero to TOSE Re: MS4 Annual Report
54. Rose Dovi to TC Re: Marriage License Inquiry
55. Jim Sterns to Levon Bedrosian Re: Cedar Ridge Garbage Corral
56. Sharon Jones to John Guastella/Chris Munch/TC Re: Fortune Ridge-Deans Corner Sewer Company Sewer Rates
57. Jennifer Hein to Supervisor Hay Re: Thomas v. TOSE TSOUT-2015-003-001
58. Resident to Supervisor Hay Re: Springhouse 2016 Operating Costs
59. Resident to Supervisor Hay Re: Repairs at Highview Well
60. Judy Lapiner to Supervisor Hay Re: Access Over NYC Property
61. Resident to Supervisor Hay Re: Condominium Notice of Project
62. Matthew Stanley to Supervisor Hay Re: Lakeview Manor Grants
63. Linda Bull to TC Re: NYSA-HVCAT Workshops
64. Amy Campanaro to TOSE Re: SE Museum History Project
65. Mike Levine to Carla Marin Re: Marin Estate Update
66. Jamie LoGiudice to TC Re: TB Approval of ARB Positive Recommendation-Brewster Ford
67. Willis Stephens to Putnam Press Re: ZBA Legal Notice-5/11/16
68. Terry Oliver to TOSE Re: Fireball Run Invitation
69. Resident to TC Re: Genealogy Search/Form
70. Supervisor Hay to Victor Cornelius Re: Grant Submission Dates
71. Residents to Supervisor Hay Re: Food Truck Vendors
72. Tom Fenton to TOSE/Ashley Ley/Steve Coleman Re: NLJA Letters for Farm to Market Subdivision
73. Arthur Hanley to TC Re: Vendor Local Law
74. Resident to TC Re: Obtaining Copy of Marriage Certificate
75. Laurie Bell to TOSE Re: Settled Certiorari-Brewster Sports
76. Jonathan Russel to Bob Cullen Re: Goose Permits and Logs
77. Resident to Supervisor Hay Re: Concerns at SE Gold Parking Lot
78. Supervisor Hay to Bob Cullen Re: SE Train Station and Taxi Regulations
79. Bonnie Colombo to Supervisor Hay Re: Notice of Violation-223 Tonetta Lake Rd.
80. Supervisor Hay to Peter Hansen Re: Grand Opening at Wells Park-5/15/16
81. Sarah Ryan to Supervisor Hay Re: Independent Sewage Works-Rate Design

Correspondence Sent

1. Ken Clair to Resident Re: Central Air Condition Permit Requirement-Maple Rd.
2. Tom LaPerch to Barbara Barosa Re: Site Plan-Brewster Retail Outlet
3. Tom LaPerch to ARB Re: Brewster Retail Outlet

4. Supervisor Hay to All Employees Re: Workplace Violence & Sexual Harassment Training
5. TC to Richard O'Rourke Re: Public Hearing for Special Permit-Brewster Ford
6. Supervisor Hay to Donald Smith Re: Speeding-Starr Ridge Rd./Cobb Rd.
7. Supervisor Hay to Whom it May Concern Re: A. Jacknick Employment

VOUCHERS

Supervisor Hay made a motion to approve the Vouchers in the amount of \$622,351.36 and Councilman Alvarez seconded. All in favor.

MEETINGS

Supervisor Hay made a motion to set the following meeting dates. Councilman Alvarez 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 June 9, 2016

Work Session / Regular Meeting

Thursday June 23, 2016

Work Session / Regular Meeting

BUDGET TRANSFERS

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

RESOLUTION – INDEPENDENT SEWER WORKS RATE PETITION – Deferred to 6/9/16

RESOLUTION NO. 31 / 2016 BREWSTER FORD – VOLZ AUTO GROUP ARCHITECTURAL REVIEW BOARD

INTRODUCED BY: Supervisor Hay

SECONDED BY: Councilman Alvarez

WHEREAS, the Town Board is in receipt of a Report of the Architectural Review Board (“ARB”) of the Town Southeast dated May 3, 2016 in connection with the application of Brewster Ford / Volz Auto Group to re-construct or alter an existing automotive dealership on property located at 1024 Route 22, Tax ID 68.5-2-32, in the Town of Southeast, Putnam County, New York; and

WHEREAS, the Report concludes that the ARB positively recommends the project to the Town Board on the condition that the applicant shall paint the shop portion of the structure a “slate grey” rather than “universal grey” as proposed; and

WHEREAS, the Town Board finds that there is no reason to upset the findings and recommendation of the Architectural Review Board in connection with the instant application,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby accepts and approves the Report of the Architectural Review Board dated May 3, 2016 for Brewster Ford / Volz Auto Group in connection with premises located at 1024 Route 22, Tax ID 68.5-2-32, a copy of which is annexed hereto and made part hereof, and that such Report shall be incorporated in any final Site Plan subsequently reviewed by the Planning Board.

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. 32 / 2016 RESOLUTION ADOPTING LOCAL LAW AMENDING TOWN CODE CHAPTER 138 – ZONING

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 138 of the Code of the Town of Southeast entitled Zoning, in particular Section 138-44(B)(3) entitled “Notification”); 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 May 5, 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. 4 of 2016 pursuant to the Municipal Home Rule Law to amend Chapter 138, Section 138-44(B)(3) of the Town Code, to modify the manner in which applicants for certain land use review must notify adjoining property owners in certain circumstances; 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 Aye
Councilwoman Eckardt Aye
Councilman Cullen Aye
Councilwoman Hudak Aye
Supervisor Hay Aye

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

**RESOLUTION NO. 33 / 2016 BREWSTER SPORTS CENTER
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 Brewster Sports Center, Tax Map No. 78.-2-16.6 for 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>
Brewster Sports Center	78.-2-16.6	2014	\$4,000,000	\$3,650,000
		2015	\$4,000,000	\$3,550,000

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. 34 / 2016 AUTHORIZE SUPERVISOR TO EXECUTE NYSDOT DOCUMENTS RELATING TO PEACH LAKE IMPROVEMENT PROJECT

INTRODUCED BY: Supervisor Hay
SECONDED BY: Councilman Alvarez

WHEREAS, a permit is required from the New York State Department of Transportation (“NYSDOT”) for the Peach Lake 2013 Round 11 Water Quality Improvement Project (the “Project”); and

WHEREAS, as part of the permit application, the Town must agree to abide by certain rules and regulations related to the Project; and

WHEREAS, the attached documents, including a NYSDOT Highway Work Permit Application for Non-Utility Work, Consultant Inspection Agreement, Undertaking for the Benefit of the Department of Transportation and a Short Environmental Assessment Form (the “Documents”) have been reviewed by the Town attorney and the Town’s insurance company and has been found to be acceptable.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board authorizes the Supervisor to sign the Documents in connection with the Project; and be it further

RESOLVED, that all actions heretofore taken by the Supervisor in connection with the Project are ratified, confirmed and approved *nunc pro tunc*.

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.

Supervisor Hay made a motion to waive the rules and add the following resolution to the Agenda due to time restrictions. Councilman Cullen seconded. All in favor.

RESOLUTION NO. 35 / 2016 MS4 ANNUAL REPORT

INTRODUCED BY: Supervisor Hay
SECONDED BY: Councilman Cullen

DATE: May 19, 2016

WHEREAS, the Town of Southeast is considered a Municipal Separate Storm Sewer Systems (MS4s) GP-0-08-002 because of its location within the New York City drinking water supply watershed; and

WHEREAS, the Town is required to prepare an annual report detailing its activities pursuant to the MS4 Regulations; and

WHEREAS, on May 19, 2016 the Town Board held a public hearing to hear and consider public comment on the Town's 2016 MS4 Annual Report prepared pursuant to the requirements of the MS4 regulations.

NOW THEREFORE BE IT

RESOLVED, that the Town Board of the Town of Southeast hereby adopts the 2016 MS Annual Report prepared by on the Town's behalf and hereby authorizes that such document be filed with the appropriate authorities as may be required by law.

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.

SUPERVISOR'S FINANCIAL REPORT

Everything is financially intact, except for outside counsel which continues to grow. The line for Outside Counsel will be increased next year.

TOWN BOARD COMMENT

The Town Board wished everyone a Happy Memorial Day, and a thank you to Veterans and all who serve our Country.

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

Respectfully Submitted,

Michele Stancati
Southeast Town Clerk