

TOWN OF SOUTHEAST
1360 Route 22, Brewster, New York 10509
Thursday July 21, 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 –Arrived at 8:10 PM
Councilman Edwin Alvarez

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

And: 1 Person

EXECUTIVE SESSION

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

Supervisor Hay made a motion to close the Executive Session where no action was taken and Councilwoman Hudak seconded. All in favor.

WORK SESSION

Nothing at this time.

REGULAR MEETING

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

CORRESPONDENCE

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

Correspondence Received

1. Stephen Lewis to Supervisor Hay Re: Special District Attorney Appointment
2. Michael Corso to TOSE Re: NY American Water Company Proposed Rate Increase & Consolidation
3. Richard O'Rourke to Supervisor Hay Re: Deans Corners Sewer Company, Inc.-Sewer Rates
4. John Bairos to Supervisor Hay Re: Lakeview Manor Senior Center Mtg.
5. Colleen Foley to Supervisor Hay Re: CSEA Employee Benefit Fund Retiree Vision Plan
6. Connie Fagan to Supervisor Hay Re: PC Housing Corp. Home Improvement Grant
7. Daniel Johnson to Supervisor Hay Re: Asphalt Concrete Resurfacing on Rt. I-684, 981B, 978D & 22 Westchester & Putnam Counties
8. Louis Picani to Supervisor Hay Re: Labor Dispute with Titan Concrete Inc.
9. Ginger Gross to Supervisor Hay & Town Board Re: Thank you-Women of Distinction
10. NYSIF to TOSE Re: Workers' Compensation Ins.-ATNM Corp.
11. NYSIF to TOSE Re: Workers' Compensation Ins.-Master Pool NY Inc.
12. Residents to Supervisor Hay Re: Resumes (2)
13. Eric Schneiderman to Supervisor Hay Re: NY Solar Power Market
14. Marjorie Keith to Supervisor Hay Re: PC 4-H Fair-7/29/16
15. Diane Schonfeld to Michele Stancati (TC) Re: PC Code Book
16. Scott Geiger to D. Ritzko Re: Designation of Restricted Highway PMI Paving Contract
17. NYSIF to TOSE Re: Workers' Compensation Ins.-ASSGC Inc.
18. NYS Workers' Compensation Board to TOSE Re: Compensation Ins.-Greenell Corp.
19. Lynn Rugan to TC Re: Spectra Energy Updated Contact List
20. SE Joint Fire District to TOSE Re: Financial Statements and Supplementary Info., 12/31/15
21. John Bairos to Kathleen Burgess Re: Comcast Programming Update
22. Terri-Ann Hahn to Supervisor Hay Re: Barrett Hill EAF Part 3
23. Employee to TOSE Re: Resignation
24. PC Dept. of Health to TOSE Re: Zika Education Bags
25. NYSIF to TOSE Re: Workers' Compensation-CHEMUNG Supply Corp. A/T/A OTSEGO Iron & Metal
26. ACORD to TOSE Re: Liability Ins.-Action Fuel Oil Corp.
27. Tom Fenton to Tom LaPerch Re: Fortune Ridge Subdivision, Recreation Parcel-Site Plan Review
28. Supreme Ct. NYS PC to TOSE Re: Petitions (2)-Crown Atlantic Co., LLC, v. Assessment Review Board
29. State Comptroller to Supervisor Hay Re: Invoice Billing Justice Court Fund -5/16
30. Veterans of Foreign Wars to TC Re: Charitable Gaming Quarterly Statement-4-5/16
31. Michael Nesheiwat to TC Re: Copies of Death Certificates
32. Stephen Coleman to Tom LaPerch Re: Fortune Ridge Recreation Ctr.-Wetland Mitigation Plan-Final Wetlands Review
33. Ross Pepe to Supervisor Hay Re: Funding Grants Deadline
34. John Bairos to Kathleen Burgess Re: Programming Contracts
35. NYS Dept. of Taxation & Finance to Supervisor Hay Re: 2016 State Equalization Rate

36. Supreme Ct. NYS PC to TOSE Re: Petitions-EMGEE Highlands Corp/The Home Depot v. Assessment Review Board.
37. Douglas Zimmerman to Supervisor Hay Re: Year End Financial Statements-12/15
38. Mike Liguori to Property Owners Re: ZBA Notification Ltr.-2469-2475 Rt. 6
39. PC Dept. of Health to TOSE Re: Testing of Lake Tonetta
40. Patterson Highway Dept. to TOSE Re: Road Work Notice
41. Edward Harney to TOSE Re: Algonquin Incremental Project Activities
42. Edward Buroughs to TOSE Re: East of Hudson Water Quality Investment Funds for the Town of Bedford Katonah-Bedford Hills Sewer Project
43. PC Small Claims Ct. to TOSE Re: Petitions-68.-14-1-16 & 77.-1-38 v. Assessment Review Board
44. Sandy Hess to TC Re: General Code Update
45. Mark Williams to Steven Parisio Re: SE Landfill 2016 Annual Post-Closure Monitoring Notification

Foils

- Alea Vorillas to Bldg. Dept. Re: CO's, Permits & Surveys-43 St. James Place
- Kevin Joyce to Bldg. Dept. Re: File-18 Elmwood Dr.
- Eva Warner to Bldg. Dept. Re: File-15 Larkspur Dr.
- Albert Natoli to TC Re: Independent Sewage Works
- M. Whipple to Bldg. Dept. Re: File-23 Cooledge Dr.
- Linda Yuris to Bldg. Dept. Re: File-509 Tonetta Lake Rd.
- John Ritalto to Bldg. Dept. Re: File-99 Lakeview Dr.
- Keller Williams to Bldg. Dept. Re: File-142 Dingle Ridge Rd.
- Mike Tarello to Bldg. Dept. Re: File-60 Hillcrest Ave.
- Amy Aquino to TC Re: All Electronic Purchasing Records, 2008-2016
- Luke Hilpert to Bldg. Dept. Re: File-75 State Line Rd.
- Albert Natoli to TC Re: Sewer Rate Issues with ISW & Highlands Shopping Ctr.
- Rafaela Villar to Bldg. Dept. Re: File-Brewster Ice Arena
- Stephan Abel to Bldg. Dept. Re: File-382 Gage Rd.
- Kevin Patel to Bldg. & Png. Dept. Re: Files-Peachtree St.
- Grace Vingno to Bldg. Dept. Re: File-20 Karlsten Lake Rd.
- Diane Cirocco to Bldg. Dept. Re: File-24 Lakeside Rd.
- Peter Levy to Bldg. Dept. Re: File-644 North Main St.
- Gwen Davis to Bldg. Dept. Re: CO's, Survey's & Violations-8 Cameo Ct.
- Marilyn Whipple to Bldg. Dept. Re: File-79 Cooledge Dr.
- Cynthia Haas to Bldg. Dept. Re: File-13 Pine Rd.
- Dominic DeSanto to Bldg. Dept. Re: File-4 Cobb Ln.
- Christine Cecere to Bldg. Dept. Re: File-124 Minor Rd.
- Peter Levy to Bldg. Dept. Re: File-29 Nichols Rd.
- Susan Salamone to Bldg. Dept. Re: File-135 Turk Hill Rd.
- Linda Burdick to Bldg. Dept. Re: Survey-644 North Main St.
- DSF Surveying to Bldg. Dept. Re: Survey-1075 Drewville Rd.
- Mike Mill to Bldg. Dept. Re: File-150 Putnam Ave.
- Jim Bergotrage to Bldg. Dept. Re: File-66 Scott Pl.

- Eric Gillman to Bldg. Dept. Re: CO's, Permits & Violations-49 Fairview Rd.
- John Rooney to Bldg. Dept. Re: File-90 Shore Dr.
- Andrew Newberg to Bldg. Dept. Re: CO's-6 Pine Rd.
- Steve Miller to Bldg. Dept. Re: File-2596 Carmel Ave.
- James Matessino to Bldg. Dept. Re: File-72 Vails Lake Shore Dr.
- Margot Friedlander to Bldg. Dept. Re: File-33 Brewster Woods Dr.
- Dennis Sant to TC Re: Request/Conditional Use resolution for 56.12-1-1
- Andrea Mancesi to Bldg. Dept. Re: Files-150 Putnam Rd.& 80 Bloomer Rd.
- Neeta Sasaswat to Bldg. Dept. Re: File-80 Bloomer Dr.
- Candace Quinn to Bldg. Dept. Re: CO's & Permits-2503-2505 Carmel Ave.
- Elsa Ferreira to Bldg. Dept. Re: CO's, Permits & Violations-161 Peaceable Hill

Emails

1. Supervisor Hay to Mark Chier Re: SE PV Interconnection System
2. Resident to Supervisor Hay Re: Food Truck Vendor Permission
3. Resident to Supervisor Hay Re: Concerns with Foggintown Rd.
4. Dina Colavito to Supervisor Hay Re: Corrective Pavement Treatment, 312
5. Public Service Commission to Supervisor Hay Re: 2015 Electric Safety Standards Report
6. Warren Lucas to TOSE Re: 10/13 Local Waterfront Revitalization Prog. Inland Waterways Conf.
7. OlennaTruskett to LevonBedrosian Re: RFP Contractor Svcs.-67 Main St. Theater Restoration
8. Jennifer Jachym to Supervisor Hay Re: SolarCity Interconnection
9. Doug Zimmerman to Supervisor Hay/Ron Hund Re: Final Financial Statements
10. Barbara Iardi to TOSE Re: Zika Education Bags
11. Lisbeth Fumagalli to TOSE Re: Veterans Bill
12. Bonnie Colombo to Supervisor Hay/Joe Hernandez Re: NOV-Bldg. Permits, 5 Shady Ln.
13. Faith James to TC Re: Questions on Website
14. Pat Bohrman to Pete Hansen Re: Wells Park-Football Pick-up
15. Resident to Supervisor Hay Re: Concerns with Prospect Hill Rd. Project
16. Supervisor Hay to Christian DiPalermo Re: Damages on Tulip Rd. & Dingle Ridge
17. Laurie Bell to TOSE Re: Recently Settled Certs: Kohl's & CPR Top Spin
18. Victoria Desidero to TOSE Re: ARB Recommendation on Maco Land Properties
19. Resident to Pat Bohrman Re: Dynamite Diamond Program
20. Warren Lucas to Supervisor Hay Re: Seaplane Landing on Peach Lake
21. Timothy Avery to TC Re: NYS DEC Floodplain Mgmt. Training
22. Warren Lucas to Supervisor Hay Re: Power Outages in North Salem
23. Resident to Supervisor Hay Re: Paving of Rt. 22
24. Tim O'Brien to Supervisor Hay Re: Transport to Compressor Station
25. Dina Colavito to TOSE Re: Corrective Pavement Treatments-Rts. 120A, 172 & 312
26. Ronald Lipschitz to TOSE Re: Support for Military Families
27. Betsy Cerone to Bob Cullen Re: Algae Growth on Tonetta Lake
28. Laurie Bell to TOSE Re: 2016 Adjusted Base Proportions
29. Supervisor Hay to Employee Re: Letter of Resignation
30. Robert Tandy to Stephen Lewis/Supervisor Hay Re: Special Prosecutor Appointment
31. Clara Rubin to TC Re: Appealtech Invoice: Brandon v. TOSE

32. Susan Tabacco to Peter Carey/Supervisor Hay Re: Concerns at Metro North Parking Lot
33. Resident to LevonBedrosian Re: Lawn Maintenance-46 Elmwood Dr.
34. Laura Chapman to Pat Bohrman Re: Tonetta Lake Closure
35. Tom Fenton to Ashley Ley/TOSE Re: Fortune Ridge-Wetlands Review
36. Resident to Supervisor Hay Re: Bulk Pick-Up on North Brewster Rd.
37. Mike Levine to Resident Re: Complaint Follow-Up
38. NYSDOT to TOSE Re: NYMTC Transportation Meetings
39. Tom Fenton to Mike Levine/TC/Mike Bruen Re: Bond Recommendation for Maco
40. Charles Arbore to TC Re: 2016 4H Fair
41. Rocco Rutigliano to Supervisor Hay Re: Security System Installation Proposal

Correspondence Sent

1. Supervisor Hay to Mayor Schoenig Re: IMA Shared Services Bldg. Inspector/Code Enforcement Officer
2. SE Justice Court to Supervisor Hay Re: Monthly Reports, 6/16
3. Douglas Zimmerman to Supervisor Hay Re: Financial Statements, Agreed-Upon Procedures and Reports
4. Tom LaPerch to ARB/Zoning Re: Review & Recommendation-131 Fields Ln.
5. Mike Levine to Supervisor Hay Re: Processing of Permits for Electrical Work
6. Supervisor Hay to Mark Chier Re: SE PV Interconnection System
7. Supervisor Hay to Joel Greenberg Re: Home Improvement Grant
8. Mike Levine to Resident Re: NOV, Stop Work-Land Disturbance, 78.-2-51
9. Mike Levine to Residents (4) NOV, 57.5-1-9, 56.28-1-21, 56.28-1-26 & 3 Maple Dr. Circle

VOUCHERS

Supervisor Hay made a motion to approve the Vouchers in the amount of \$632,438.90. Councilwoman Hudak seconded. All in favor.

MEETINGS

Supervisor Hay made a motion to set the following meeting dates to be held at 1360 Route 22, Brewster New York at 7:00 P.M. unless otherwise noted.

Work Session / Regular Meeting – August 18, 2016

Regular Meeting / Approve Vouchers – August 25, 2016 at 4:30 P.M.

BUDGET TRANSFERS

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

RESOLUTION NO. 51 / 2016 FORTUNE RIDGE RECREATION CENTER – 8 STONEHOLLOW DRIVE RESOLUTION ESTABLISHING PERFORMANCE BOND

INTRODUCED BY: Supervisor Hay
SECONDED BY :Councilwoman Hudak

WHEREAS, the Town Board is in receipt of a recommendation from the Town Engineer dated July 11, 2016 and a referral from the Town of Southeast Planning Board with respect to the establishment of a performance Bond for the site plan associated with Fortune Ridge Homeowners' Association Recreation Center for premises located at 8 Stonehollow Drive, Tax Map No. 67.-3-79.2; 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>	
Fortune Ridge Recreation Center	Site Improvements	\$ 500,000.00
	Erosion & Sediment Control	\$ 49,000.00

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	<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. 52 / 2016 MACO LAND PROPERTIES – 1651 ROUTE 22 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 July 8, 2016 and a referral from the Town of Southeast Planning Board with respect to the establishment of a performance Bond for the site plan associated with Maco Land Properties for premises located at 1651 Route 22, Tax Map No. 46.-3.14; 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	
Maco Land Properties	Site Improvements	\$ 520,000.00
	Erosion & Sediment Control	\$ 17,000.00

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	<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. 53 /2016 PARKING FORCEMENT OFFICER
APPOINTMENT OF JEFFREY BERGSTROM**

INTRODUCED BY: Supervisor Hay
SECONDED BY: Councilwoman Hudak

WHEREAS, the Town of Southeast has enacted several ordinances and local laws regulating the conduct of individuals and maintenance of real property located within the Town, including, but not limited to laws governing land use, building and property maintenance, vehicles and traffic, and parking; and

WHEREAS, having no law enforcement agency dedicated to the Town of Southeast, it is necessary to authorize and confer jurisdictional authority upon individuals employed by the Town to enforce the local laws and regulations affecting persons and property within the Town.

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Southeast hereby appoints

JEFFREY BERGSTROM as a Parking and Enforcement Officer for the Town of Southeast, hereby conferring upon him all the powers and duties necessary and proper to enforce the various codes and regulations regulating conduct within the Town as set forth in the Code of the Town of Southeast; including such powers as may be necessary and proper to investigate alleged or suspected violations of the Town Code and parking regulations, to file process in the local Justice Court necessary and proper to commence criminal proceedings therein, and to do such other or different actions necessary and proper to enforce and adjudicate alleged violations of the Town Code; all in accordance with applicable law and procedure.

Upon Roll Call Vote:

Councilman Alvarez Aye

Councilman Cullen Aye

Councilwoman Eckardt Aye

Councilwoman Hudak Aye

Supervisor Hay Aye

VOTE: Resolution passed, by a vote of 5 in favor, 0 against, and 0 abstained.

RESOLUTION NO. 54/2016 FIRE INSPECTORS - AUTHORIZATION / APPOINTMENT OF MICHAEL LEVINE, JOSEPH HERNANDEZ AND JEFFREY BERGSTROM

INTRODUCED BY: Supervisor Hay

SECONDED BY: Councilwoman Hudak

WHEREAS, the Town of Southeast has enacted several ordinances and local laws regulating the conduct of individuals and maintenance of real property located within the Town, including, but not limited to laws governing zoning and use of real property, littering, solid waste management, storm water management, fire safety and prevention, building construction and maintenance, parking, vehicles and traffic and wetlands; and

WHEREAS, having no law enforcement agency dedicated to the Town of Southeast, it is necessary to authorize and confer jurisdictional authority upon individuals employed by the Town to enforce the local laws and regulations affecting persons and property within the Town; and

WHEREAS, due to the recent resignation of Kenneth Clair, the Town Fire Inspector, it is incumbent upon this Town Board to authorize and appoint other individuals to perform the duties previously covered by Mr. Clair.

NOW, THEREFORE,

BE IT RESOLVED, notwithstanding the provisions of Resolution No. 55 of 2009 that **MICHAEL LEVINE**, the Town's current Building Inspector, **JOSEPH HERNANDEZ**, the Town's current Assistant Building Inspector and **JEFFREY BERGSTROM**, are hereby appointed to the position of **FIRE INSPECTOR**, conferring upon them all the powers and duties necessary and proper to enforce the Fire Prevention Codes, including such powers as may be necessary and proper to investigate alleged or suspected violations of the NYS Fire and Prevention Codes; to file process in the local Justice Court when necessary and proper to commence criminal proceedings therein; and to do such other or different actions as may be necessary and proper to enforce and adjudicate alleged violations of such codes, all in accordance with applicable law and procedure.

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: Resolution passed by a vote of 5 in favor, 0 against, and 0 abstained.

RESOLUTION No. 55 / 2016 ADJUSTING "BASE PROPORTIONS" FOR REAL PROPERTY TAX ASSESSMENT PURPOSES

Introduced By: Supervisor Hay

Seconded By: Councilman Alvarez

WHEREAS, the Town Board of the Town of Southeast desires to maintain fairness in the taxable valuation of tax parcels within the town; and

WHEREAS, it is the Board's understanding that using the calculations of RP-6703 for the adjustment of base proportions will best serve the needs of the Town and be most equitable for the taxpayers; and

WHEREAS, the Town Assessor has recommended that the Town accept the adjusted base proportions as submitted as Town Outside Village homestead at 60.943278 per cent and town-wide homestead portion as per cent.

NOW, THEREFORE, BE IT

RESOLVED, that the Town board of the Town of Southeast accepts the recommendation of the Town Assessor and hereby authorizes the Town Clerk to sign and provide to the Office of Real Property Services form RP-6703 for the Town-wide and Town Outside Village containing the base proportion of 60.268152% and 60.943278%, respectively, pursuant to Real Property Tax Law and NYS Rules and Regulations in form and substance as may be approved by 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: Resolution passed, by a vote of 5 to, 0 against, 0 abstained.

SUPERVISOR'S REPORT

Supervisor Hay stated that all outside counsel fees continue to grow, and will be paid with the money we have in contingency. Aside from that, we have a good budget and are holding to it. We will be starting to work on the 2017 budget next month. The tax cap will be .68% and it will be difficult, but we will do the best we can.

Supervisor Hay made a motion to waive the rules and add a resolution for Peach Lake to the agenda. Councilwoman Hudak seconded. All in favor.

MOTION TO WAIVE THE RULES

Supervisor Hay made a motion to rescind Resolution #34/2016 and bring forth the following amended resolution. Councilwoman Eckardt seconded. All in favor.

RESOLUTION NO. 56 / 2016 AUTHORIZE SUPERVISOR TO EXECUTE NYSDOT DOCUMENTS

INTRODUCED BY: Supervisor Hay
SECONDED BY: Councilman Cullen

WHEREAS, a permit is required from the New York State Department of Transportation (“NYSDOT”) for certain water quality improvement projects (the “Projects”); and

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

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Southeast hereby authorizes the Supervisor to enter into an undertaking and agreement with NYSDOT concerning work involving New York State Highways, said agreement and undertaking being in a form and substance as attached hereto and made a part hereof ; and be it further

RESOLVED, that the Town Supervisor, Tony Hay, is hereby authorized to execute said undertaking and agreement on behalf of the Town of Southeast; 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	<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 WAIVE THE RULES

Supervisor Hay made a motion to waive the rules and add the two following resolutions to the agenda. Councilwoman Hudak seconded. All in favor.

RESOLUTION NO. 57 /2016 FIRE INSPECTOR - AUTHORIZATION / APPOINTMENT OF JOHN O'CONNOR

INTRODUCED BY: Supervisor Hay
SECONDED BY: Councilwoman Hudak

WHEREAS, the Town of Southeast has enacted several ordinances and local laws regulating the conduct of individuals and maintenance of real property located within the Town, including, but not limited to laws governing zoning and use of real property, littering, solid waste management, storm water management, fire safety and prevention, building construction and maintenance, parking, vehicles and traffic and wetlands; and

WHEREAS, having no law enforcement agency dedicated to the Town of Southeast, it is necessary to authorize and confer jurisdictional authority upon individuals employed by the Town to enforce the local laws and regulations affecting persons and property within the Town; and

WHEREAS, due to the recent resignation of Kenneth Clair, the Town Fire Inspector, it is incumbent upon this Town Board to authorize and appoint other individuals to perform the duties previously covered by Mr. Clair.

NOW, THEREFORE,

BE IT RESOLVED, notwithstanding the provisions of Resolution No. 55 of 2009 that **JOHN O’CONNOR** is hereby appointed to the position of **FIRE INSPECTOR**, conferring upon them all the powers and duties necessary and proper to enforce the Fire Prevention Codes, including such powers as may be necessary and proper to investigate alleged or suspected violations of the NYS Fire and Prevention Codes; to file process in the local Justice Court when necessary and proper to commence criminal proceedings therein; and to do such other or different actions as may be necessary and proper to enforce and adjudicate alleged violations of such codes, all in accordance with applicable law and procedure.

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: Resolution passed, by a vote of 5 in favor, 0 against, and 0 abstained.

**RESOLUTION NO. 58 /2016 PARKING-CODE ENFORCEMENT OFFICER
APPOINTMENT OF JOHN O’CONNOR**

INTRODUCED BY: Supervisor Hay
SECONDED BY: Councilwoman Hudak

WHEREAS, the Town of Southeast has enacted several ordinances and local laws regulating the conduct of individuals and maintenance of real property located within the Town, including, but not limited to laws governing land use, building and property maintenance, vehicles and traffic, and parking; and

WHEREAS, having no law enforcement agency dedicated to the Town of Southeast, it is necessary to authorize and confer jurisdictional authority upon individuals employed by the Town to enforce the local laws and regulations affecting persons and property within the Town.

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Southeast hereby appoints **JOHN O’CONNOR** as a Parking and Code Enforcement Officer for the Town of Southeast, hereby conferring upon him all the powers and duties necessary and proper to enforce the various codes and regulations regulating conduct within the Town as set forth in the Code of the Town of Southeast; including such powers as may be necessary and proper to investigate alleged or suspected violations of the Town Code and parking regulations, to file process in the local Justice Court necessary and proper to commence criminal proceedings therein, and to do such other or different actions necessary and proper to enforce and adjudicate alleged violations of the Town Code; all in accordance with applicable law and procedure.

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: Resolution passed by a vote of 5 in favor, 0 against, and 0 abstained.

There was no Public or Town Board Comments.

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

Respectfully Submitted,

Michele Stancati
Southeast Town Clerk