

TOWN OF SOUTHEAST
1360 Route 22, Brewster, New York 10509
Thursday, November 30, 2023
Regular Meeting / Work Session 7:00 P.M.

Pledge of Allegiance
Notation of Exits
Turn off/put on vibrate – all electronic devices

Persons: 20

Present: Supervisor Tony Hay
Councilman Edwin Alvarez
Councilman Eric Cyprus
Councilman Eric Larca
Councilman John O'Connor

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

PUBLIC HEARING

Supervisor Hay made a motion to open the Public Hearing and waive the reading of the notice. Councilman Larca seconded. All in favor.

Special Permit – Splash Car Wash

James Caris, Engineer for the project, and Mr. Glen Sheely, owner of the project, stated they were here for a Special Permit for self-service vacuums. They are currently processing an amended site plan with the Planning Board for updated signage, landscaping equipment, and reconfiguring the vacuum area. They are proposing 16 self-service stations. There are 4 existing stations there and they are reconfiguring that area to include the new ones. The vacuums are free for anyone who purchases a wash or is a subscription member.

Supervisor Hay stated that there is a concern from the public about the color of the roof. Has that been worked out with the Planning Board? Mr. Caris explained that they are on their way to a resolution with that.

Barbara Stabe stated that she lives adjacent to the property and her concern with the self-serve is they currently have inspection and repair permits now that the previous owner obtained. They are now doing work outside in the back of the building and she's hearing the impact guns all day long. She's afraid of

the added noise of more self-served vacuums. It was never meant to be a full fledge repair shop and that's what it is turning out to be.

Councilman Larca asked the Town Attorney about the outside work in the back and Town Attorney Stephens stated that it is a violation of their site plan. Town Attorney Stephens stated that all the mechanical work should be done inside and the prior owner was also cited for that. Councilman Larca stated then it's an enforcement issue.

Ms. Stabe stated that they keep trying to get more and more. There use to be a house where the car wash is now. The property is both residential and commercial. The Special Use Permit was allowed with requirements for the car wash and now every day is something new.

Supervisor Hay asked the applicant if there is a reason they are working outside, do they not have enough room inside? Mr. Sheely answered that he's not sure why they were working outside but will make sure they keep everything contained inside the building. About the vacuums, they already have vacuums there from when we purchased the property, self-serve and full-service vacuums. The new technology is much quieter.

Councilman Cyprus stated that the original Special Permit only allowed for full service and the original owner put in self-service. The new owner is here tonight trying to right the wrong.

Supervisor Hay asked how many vacuums will be there now and Mr. Sheely responded 1 turbine with 16 vacuums. Right now, there are 2 turbines.

Dennis Stabe stated that during the pandemic they applied for a variance to allow the inspection and repairs, and he asked how many bays or lanes are going into the carwash? Mr. Stephens responded 2 that he recalls. Mr. Staib stated it was supposed to be just a Jiffy Lube and he doesn't see how it can be both a Jiffy Lube and mechanic shop. He stated that they keep adding on and changing the intent, which was originally narrow, and it continues to get larger and nosier than the original plan.

Supervisor Hay asked the applicant if there is any parking overnight and Mr. Sheely responded no. He stated that the previous owner applied to have the oil changes and the mechanic, but now that's going away with all the electric cars and newer cars that don't need it as much. They are not really doing mechanical work anymore either. Supervisor Hay asked how many bays there are and Mr. Sheely stated 2 bays, 2 deep so they can hold 4 cars.

Supervisor Hay made a motion to close the Public Hearing and keep it open for written comment for 5 days. Councilman Alvarez seconded. All in favor.

WORK SESSION

Discussion – Highway Superintendent – Equipment Purchases

This will be discussed at a later time.

Discussion – Naming Private Road off Fields Lane – (Field Court)

Town Assessor Laurie Bell explained that she ran out of numbers on Fields Lane, and since there is no frontage or access on Fields Lane for the ice arena and the warehouse, it was decided it will be a private road and named Fields Court.

Discussion – Special Districts Water Rates

Rodney Brown, who works for Special Districts, explained that they are working on changing the water rates to be fairer and that usage would be a large part of the bill. He proposed to change the structure so the people who use more will pay more.

Supervisor Hay stated that this is a work in progress and Mr. Brown said they have a plan in place and things to deal with.

Discussion – Sunset Ridge

Councilman Larca stated that at the last meeting they discussed the Town property called Sunset Ridge up on Independent Way. He would like to get a survey done to see what we could use the property for. He spoke to Terry Bergendorff and she said the first step would be a fly over of the topography. He would like to ask the Board to move forward to retain her services. The cost would be \$9,375.00.

Supervisor Hay stated that at the last meeting it was discussed that they would wait for the new Board to take office in January to discuss spending this money and it could still be taken out of the December 2023 budget. He feels this is the proper way to do it.

Councilman Larca stated he wanted to rush to get this done and it would take 6 to 8 weeks before they could move forward with this. Supervisor Hay suggested Councilman Larca wait for the new Board because there will be 3 new people on the Board.

Town Assessor Bell stated that Putnam County has a e-parcel data base where you can load the topography and layer over the aerials taken over the last 5 years.

Councilman Larca stated that the contour has been changed over the last couple of years.

REGULAR MEETING

Supervisor Hay made a motion to open the meeting and waive the reading of the Correspondence. Councilman O'Connor seconded. All in favor.

CORRESPONDENCE

Correspondence Received:

1. Putnam County Mental Health Services to TOSE/Public Re: Presentation and Q & A of Opening of Crisis Stabilization Center in TOSE
2. Comcast to TOSE Re: Notice of Comcast of NY, LLC Programming Contract Renewal Website
3. Croton Falls Fire District to TC Re: Adopted 2024 Budget
4. PC Office for Senior Resources to Supervisor Hay Re: Invitation-Harvest Jamboree Senior Luncheon
5. Utica First Insurance Company to TOSE Re: Notice of Rescission/Notice of Cancellation/Notice Reinstatement- R & R Electric LLC
6. P. Aversano to TC Re: Liquor License Renewal-1620 Route 22, Towne Centre

7. EE Brewster to TOSE Re: Application to the Zoning Board of Appeals-1534 & 1550 Route 22
8. Calculated Fire Protection Co., Inc. to TOSE & J. Hernandez Re: Eurotech-19 Sutton Place
9. McKinsey Opiate Consultant Litigation to TC Re: Class Action Settlement
10. PC Executive K. Bryne to TOSE & PC Residents Re: Mental Wellness & Crisis Stabilization Center Location
11. Comcast to TOSE Re: Notice of Comcast of NY Programming Change
12. NYS DEC to Supervisor Hay Re: Post-Closure Use Modification for Southeast Landfill Lower Mine Road LLC-Solar Array Construction
13. NYC Environmental Protection to Supervisor Hay Re: Denial of TOSE Request for DEP Funding Approval for Proposed Capital Replacement of Sequencing Batch Reactor Decanter-Peach Lake WWTP
14. NYS Office of General Services to Supervisor Hay Re: Commencement of Restricted Period in Accordance with State Finance Law-Lease Negotiations, NYS Dept. of Corrections & Community Supervision Southeast Town Court
15. Acord Insurance to TOSE Re: Certificate of Liability Insurance-J.A. Lee Electric Services LLC
16. Acord Insurance to TOSE Re: Certificate of Liability Insurance-CREW2 Inc.
17. Acord Insurance to TOSE Re: Certificate of Liability Insurance-Backyard Products LLC
18. Acord Insurance to TOSE Re: Certificate of Liability Insurance-P J A Contracting Inc.
19. Acord Insurance to TOSE Re: Certificate of Liability Insurance-Ace Endico Corporation
20. Central Insurance to TOSE Re: Notice of Cancellation-Commercial Package Policy-CLP 7936840
21. Putnam Press to TOSE Board Members Re: Request to Redesignate Putnam County Press as Official Newspaper for TOSE
22. Office of the State Comptroller to TC Re: Justice Court Fund Verification of Appointment & Justice Contact Information
23. Brewster-Southeast Joint Fire District to TOSE Re: 2024 Budget Summary
24. D. Abatemarco to Supervisor Hay Re: Resignation Letter
25. MTA Construction & Development to TOSE Re: Notice of Public Hearing-Eminent Domain Procedure Law 4-10 Independent Way

FOILS:

- Sandra Santini to Bldg. Dept. Re: C of O's & Permits-52-54 Marvin Ave.
- Edmond Albano to Bldg. Dept. Re: Open & Closed Permits & Violations-62 Stallion Trail
- Lisa LaGuardia-Tremblay to Bldg. Dept. Re: All Building Records-684 Route 312
- George Ennabe to Bldg. Dept. Re: All Building Records-55 Karlson Lake Road
- Michael Marra to Bldg. Dept. Re: All Building Records-21 Brewster Woods Drive
- Alan Zimmerman to Bldg. Dept. Re: All Building Records-70 Karlsen Lake Road
- Gaspare Fiorenza to Bldg. Dept. Re: All Building Records-78 Old Road
- Samantha Brandt to Bldg. & Zoning Depts. Re: Zoning, Plans & # of Units-440 Milltown Road
- Tara Benson to Bldg. Dept. Re: All Building Records & Survey-244 N. Brewster Road
- Maria Marcogliese to Bldg. Dept. Re: All Building Records-188 Joe's Hill Road
- Janice Swerdloff to Bldg. Dept. & Tax Receiver Re: All Building & Tax Records-78 Enoch Crosby Road
- Christopher DeBellis to Bldg. Dept. Re: All Building Records-198 Turk Hill Road
- Maria Reyes to Zoning & Bldg. Dept. Re: Fire Inspection Report, Open Fire Code Violations, Hazmat Spill History, Permits for Above & Below Ground Storage Tanks, Confirmation of

Adoption of Newer NFPA 58 Petroleum Gas Code, Building Inspection Reports, C of O's, Violations & Zoning Verification-46 Mount Ebo Road

- Danni Christopher to Bldg. Dept. Re: Open, Expired, Pending Permits, Demolition Permits, Code Violations & Fines Due or Unrecorded-31 Allan Road
- Vera Karaqi to Bldg. Dept. Re: All Building Records-5 Park Street
- James Meyer to Bldg. Dept. Re: Original C of O-927 Drewville Road
- Maria Tomaselli to Bldg. Dept. Re: All Building Records-5806 Applewood Circle
- Richard Spinelli to Bldg. Dept. Re: Surveys-255, 259, 263, & 269 North Brewster Road
- Danni Christopher to Bldg. Dept. Re: Open, Pending, Expired Permits, Demolition Permits, Fees, Violations-31 Allan Road
- Jennifer Camp to Acct. Re: All Water & Sewer Billing-78 Coventry (Not in TOSE)
- Laura Cullen to Bldg. Dept. Re: Floor Plans-2401 & 2501 Village Drive
- Michael Tarallo to Bldg. Dept. Re: All Building Records-8 Hawks Lane
- Kris Glaser to Bldg. Dept. Re: Open Violations-1-5 Fallsview Lane
- Jennifer Camp to Acct. Re: All Water & Sewer Billing-2903 Morgan Drive
- Richard Rapp to Bldg. Dept. Re: All Building Records-927 Drewville Road
- Thomas Zoeller to Bldg. Dept. Re: Surveys-138 & 142 Old Milltown Road
- Annapauline Creamer to Bldg. Dept. & Acct. Re: All Building Records, Water & Sewer Billing-2609 Carmel Ave.
- Helen McNeece to Bldg. Dept. Re: All Building Records-55 Karlsen Lake Road
- AnnaAlexa Embury to Bldg. Dept. Re: All Building Records-1103 Eagles Ridge Road
- Christopher Maher, Esq. to TC Re: Court Records

Emails:

1. NYS DEC to TOSE Re: NOC -Brewster Yards
2. G. Pangis to Supervisor Hay, TB & Planning Board Re: Reappointment to SE Planning Board
3. Wright Insurance/NYMIR to TC Re: Denial Letter for Claim-J.T.
4. TC to R. Bennett, Spectra Associates Re: TC Minute Book Order
5. Resident to TB Re: Dumping of Trash on Nichols Road
6. S. DelGado to TC Re: VOB FOIL
7. Resident to Supervisor Hay & TB Re: Audit of Recreation Programs
8. J. Caris to TC, V. Desidero & Supervisor Hay Re: Special Permit Application
9. NYS DEC to Supervisor Hay Re: Post Closure Use Modification for Southeast Landfill
10. Supervisor Hay to TB Re: Trident Units with Greensand-Brewster Heights
11. TC to G. Schrameck & C. Ferris, UPC Re: Receipts for TOSE False Alarm Fines & Alarm Permit-176 Doansburg Road
12. S. Rebentisch to Supervisor Hay & TB Re: National American Indian Heritage Month
13. NYS EFC to Supervisor Hay Re: Documentation for Funding through the NYS Bipartisan Infrastructure Law Emerging Contaminants (BIL EC) Program Project No.: 19495 & 19496
14. Councilman Larca to M. Levine Re: Billboard on Danbury Road
15. TC to Property Owner Re: TOSE Commercial Alarm Permit #000120-997 Route 22
16. TC to Property Owner Re: TOSE Commercial Alarm Permit #000121-1481 Route 22
17. NYS Dept. of State, DEC & NYSERDA to TOSE Re: Climate Pollution Reduction Grant Program Webinar
18. J. Tucci, Everblue Lakes to Supervisor Hay & TB Re: Tonetta Lake Improvements
19. Councilman Larca to C. Chiudina, Rec. Dept. & VOB Mayor J. Schoenig Re: Electrazone Field

20. NYS DEC to TC & Insite Engineering Re: NOIA-EE Brewster
21. Ameresco to Supervisor Hay & W. Stephens, TA Re: TOSE Landfill Title Exceptions
22. Resident to Supervisor Hay, M. Fraioli, Special Districts & Suburban Carting Re: Complaint Regarding Bulk Pick-Up-117 Enoch Crosby Road
23. Olenna Truskett to Supervisor Hay, C. Chiudina & M. Levine Re: Holiday Event Fire SEP for 12-2 & 12-3 for Southeast Museum
24. Spectra Energy to Supervisor Hay Re: Southeast Compressor Station Blowdown Notification-Algonquin Gas Transmission
25. TC to Special Districts Re: Renewal List for Solid Waste Permit Application
26. Bradley Schwartz to Supervisor Hay & TB Re: Peach Lake Brook Progress
27. Croton Falls Fire District to TC Re: Public Notice-Annual Election of Croton Falls Fire District
28. B. Barosa, PC Planning & Development to Supervisor Hay Re: 2019 Roundabout Feasibility Studies-Doansburg Road & Fairfield Drive

Correspondence Sent:

1. TOSE ZBA to PC Dept. of Planning & Re: Application for Area Variance-333 Turk Hill Road
2. TC to NYS DEC Re: DMP Tag Purchase Error
3. TOSE PB to PC Dept. of Planning & Development Re: Area Variance-Green Chimneys Boni Bel
4. TOSE TC to Property Owner Re: Request for Commercial Alarm Permit Application-1Starr Ridge Road Permit #23-1400
5. TOSE PB to T. Dilallo Re: Escrow Account-Dilallo Conditional Use Permit
6. TOSE Bldg. Dept. to Property Owner Re: STOP WORK ORDER, 36 Seven Oaks Lane
7. TOSE Bldg. Dept. to Property Owner Re: NOV/OTR-7 Indian Wells Road
8. TOSE Bldg. Dept. to Property Owner Re: NOV/OTR-8 Hawks Lane
9. TOSE Bldg. Dept. to Property Owner Re: Complaint/Order to Appear-26 Cooledge Drive
10. TOSE PB to T. Dilallo Re: Escrow Account-Caruso Estate
11. Supervisor Hay to C. Heller Re: F/T Position-Recreation Assistant
12. Supervisor Hay to J. Kuczenski Re: F/T Position-Director of Parks & Recreation
13. Supervisor Hay to B. Barosa, PC Dept. of Planning & Development Re: Proposed Text Amendments (Freshwater Wetlands)
14. TOSE Bldg. Dept. to Property Owner Re: NOV/OTR-7 Indian Wells Road
15. TOSE Bldg. Dept. to Property Owner Re: NOV/OTR-1639-1641 Rt. 22
16. TOSE Bldg. Dept. to Property Owner Re: NOV/OTR-260 North Brewster Road
17. TOSE Bldg. Dept. to Property Owner Re: NOV/OTR-22 Bradley Court
18. TOSE PB to W. Angiolillo & J. Hahn Re: Escrow Act (Second Notice)-2 & 4 Reservoir Ridge
19. TOSE PB to Craig Tripp Re: Escrow Account (Second Notice)-NYSEG Emergency Storage
20. TOSE PB to J. Charbonneau Re: Escrow Account (Second Notice)-Independent Way LLC
21. Supervisor Hay to PC Dept. of Planning Re: Proposed Text Amendments (Freshwater Wetlands)
22. Supervisor Hay to PC Dept. of Planning Re: Proposed Text Amendments (Tree Preservation)
23. TOSE TC to Sani Pro Disposal Services Re: 2024 Solid Waste Permit
24. TOSE TC to AAA Carting & Rubbish Removal Re: 2024 Solid Waste Permit
25. TOSE TC to Oak Ridge Hauling, LLC Re: 2024 Solid Waste Permit
26. TOSE TC to City Carting Co. Re: 2024 Solid Waste Permit
27. TOSE TC to One-Day Marriage Officiant (A.G.) Re: Incomplete Marriage License
28. TOSE Bldg. Dept. to Property Owner Re: NOV/OTR-176 Simpson Road
29. TOSE Bldg. Dept. to Property Owner Re: NOV/OTR-160 Simpson Road
30. TOSE Bldg. Dept. to Property Owner Re: NOV/OTR-111 North Brewster Road

31. TOSE Bldg. Dept. to Property Owner Re: NOV/OTR-74 Sodom Road
32. TOSE Bldg. Dept. to Property Owner Re: NOV/OTR-363 Tonetta Lake Road
33. TOSE Bldg. Dept. to Property Owner Re: NOV/OTR-410 Rt. 312
34. TOSE Bldg. Dept. to Property Owner Re: NOV/OTR-2567 Carmel Ave.
35. TOSE Bldg. Dept. to Property Owner Re: NOV/OTR-145-147 North Brewster Road
36. TOSE Bldg. Dept. to Property Owner Re: NOV/OTR-210 Doansburg Road
37. TOSE Bldg. Dept. to Property Owner Re: NOV/OTR-830 Drewville Road
38. TOSE Bldg. Dept. to Property Owner Re: NOV/OTR-309-313 Rt. 22
39. TOSE Bldg. Dept. to Property Owner Re: NOV/OTR-385-395 Allview Ave.
40. TOSE Bldg. Dept. to Property Owner Re: NOV/OTR-2469-2475 Rt. 6
41. TOSE Bldg. Dept. to Property Owner Re: NOV/OTR-31-33 Farm to Market Road
42. TOSE Bldg. Dept. to Property Owner Re: NOV/OTR-1639-1641 Rt. 22
43. TOSE Bldg. Dept. to Property Owner Re: Complaint/Order to Appear-40 Farrington Road
44. TOSE Bldg. Dept. to Property Owner Re: Complaint/Order to Appear-3867 Danbury Road

VOUCHERS

Supervisor Hay made a motion to accept the Vouchers in the amount of \$991,886.32. Councilman O'Connor seconded. All in favor.

BUDGET TRANSFERS

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

MEETINGS

Supervisor Hay made a motion to set the following Meetings and Public Hearings to be held at 1360 Route 22, Brewster, NY at 7:00 pm unless otherwise noted. Councilman O'Connor seconded. All in favor.

Thursday, December 21, 2023 – Work Session / Regular Meeting

RESOLUTION NO. 83 / 2023 LOCAL LAW No. 10 of 2023 REPEAL AND REPLACE TOWN CODE CHAPTER 78 (“FRESHWATER WETLANDS”)

INTRODUCED BY: Supervisor Hay
SECONDED BY: Councilman O'Connor

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 repeal and replace Chapter 78 (“Freshwater Wetlands”) of the Code of the Town of Southeast, including the environmental significance thereof, relating to the regulation of wetlands and wetland buffers within the Town of Southeast; and

WHEREAS, notice of said public hearing was advertised in the official newspaper of the Town of Southeast in the manner prescribed by law; and

WHEREAS, such public hearing was held on November 9, 2023, 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 finds and declares that the adoption of the proposed Local Law is (a) an “Unlisted” action under the New York State Environmental Quality Review Act (“SEQRA”) and (b) its adoption will not have an adverse impact on the environment and therefore, based upon the foregoing, hereby adopts Local Law No. 10 of 2023 pursuant to the Municipal Home Rule Law repealing and replacing Chapter 78 of the Town Code (“Freshwater Wetlands”) as the same defines and regulates activities within wetlands and wetland buffer zones within the Town of Southeast; and be it further

RESOLVED, that the Town Clerk be and hereby is authorized and directed to enter said Local Law in the minutes of this meeting and 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>
Councilman Cyprus	<u>Aye</u>
Councilman Larca	<u>Aye</u>
Councilman O’Connor	<u>Aye</u>
Supervisor Hay	<u>Aye</u>

VOTE: Passed, by a vote of 5 in favor, to 0 against, 0 abstained.

RESOLUTION NO. 84 / 2023 LOCAL LAW No. 11 of 2023 AMENDING TOWN CODE CHAPTER 119 (“STORM WATER MANAGEMENT”) and CHAPTER 138 (“ZONING”) – PROTECTION OF TREES

INTRODUCED BY: Supervisor Hay

SECONDED BY: Councilman O’Connor

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 119 (“Stormwater Management and Erosion and Sediment Control”) and Chapter 138 (“Zoning”) of the Code of the Town of Southeast, including the environmental significance thereof,

relating to the regulation of certain tree removals in connection with land use applications in the Town of Southeast; and

WHEREAS, notice of said public hearing was advertised in the official newspaper of the Town of Southeast in the manner prescribed by law; and

WHEREAS, such public hearing was held on November 9, 2023, 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 finds and declares that the adoption of the proposed Local Law is (a) an “Unlisted” action under the New York State Environmental Quality Review Act (“SEQRA”) and (b) its adoption will not have an adverse impact on the environment and therefore, based upon the foregoing, hereby adopts Local Law No. 11 of 2023 pursuant to the Municipal Home Rule Law amending Chapter 119 (“Stormwater Management and Erosion and Sediment Control”) and Chapter 138 (“Zoning”) of the Code of the Town of Southeast, relating to the regulation of certain tree removals in connection with land use applications within the Town of Southeast; and be it further

RESOLVED, that the Town Clerk be and hereby is authorized and directed to enter said Local Law in the minutes of this meeting and 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>
Councilman Cyprus	Aye
Councilman Larca	<u>Aye</u>
Councilman O’Connor	<u>Aye</u>
Supervisor Hay	<u>Aye</u>

VOTE: Passed, by a vote of 5 in favor, to 0 against, 0 abstained.

RESOLUTION NO. 85 /2023 REFUSE DISTRICT AWARD CONTRACT FOR REFUSE COLLECTION AND REMOVAL FROM RESIDENTIAL PROPERTIES

INTRODUCED BY: Supervisor Hay
SECONDED BY: Councilman Alvarez

WHEREAS, the current contract for residential refuse removal services is due to expire on December 31, 2023; and

WHEREAS, the Town Board has circulated and published Requests for Proposals (“RFP”) for, and sought competitive bids from, qualified contractors to supply work, labor, materials, equipment, and services for the collection and removal of refuse, garbage, and recyclable materials to the residents of the Town of Southeast; and

WHEREAS, in response to the aforesaid RFP, the Town Clerk received proposals from three (3) bidders; and

WHEREAS, the Town Clerk has received and opened the bids in accordance with the provisions of the General Municipal Law and such bids were read aloud and recorded; and

WHEREAS, the Supervisor and the Town Attorney have analyzed the proffered bids and supporting documentation and have reviewed the bonds and certificates of insurance maintained and presented by each participating firm.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Southeast hereby finds and determines that, upon review of all qualifying bids and supporting information that the lowest responsible bidder for the provision of Refuse Collection and Removal Services to the Town of Southeast Garbage and Refuse District No. 1 is Sani-Pro Disposal Services Corp. d/b/a Suburban Carting Company, 566 North State Road, Briarcliff Manor, NY 10510, pursuant to bid received on November 27, 2023 for a contract to commence January 1, 2024 and ending on December 31, 2026 in the initial annual amounts as follows:

Residences: TWO MILLION THIRTY-THREE THOUSAND NINE HUNDRED THIRTY-FOUR and 00/00 (\$2,033,934.00) Dollars.

Townhouse / Condominiums: THREE HUNDRED TWENTY THOUSAND EIGHT HUNDRED and 80/00 (\$320,800.80) Dollars.

And be it further

RESOLVED, that the Supervisor be and hereby is authorized to execute any and all contracts, agreements, and notices and to forward a Notice to Proceed to SANI-PRO DISPOSAL SERVICES CORP., d/b/a SUBURBAN CARTING COMPANY, for a contract term of three (3) years commencing January 1, 2024 and ending December 31, 2026, all in form and manner of execution as approved by the Town Attorney.

Upon Roll Call Vote:

Councilman Alvarez	<u>Aye</u>
Councilman Cyprus	<u>Abstain</u>
Councilman Larca	<u>Aye</u>
Councilman O'Connor	<u>Aye</u>
Supervisor Hay	<u>Aye</u>

VOTE: carried by a vote of 4 in favor, 0 against; 1 abstained.

Councilman Cyprus abstained because he felt he should have been involved in the Bid document and isn't comfortable giving his vote because he hasn't seen the results of the bid.

MOTION TO WAIVE THE RULES

Councilman Cyprus made a motion to waive the rules for Councilman Larca to add an item to the agenda. Councilman Larca seconded. The vote was 4 in favor, and one against which was Supervisor Hay.

Councilman Larca made a motion to recommend Terry Bergendorff Collins to start the review of what is feasible up on Sunset Ridge. Councilman Cyprus seconded.

Upon Roll Call Vote:

Councilman Alvarez	<u>Nay</u>
Councilman Cyprus	<u>Aye</u>
Councilman Larca	<u>Aye</u>
Councilman O'Connor	<u>Aye</u>
Supervisor Hay	<u>Nay</u>

Vote carried by a vote of 3 in favor, 2, against, and 0 abstained.

PUBLIC COMMENT

Kevin Murray from the NY Citizens Audit asked the Board to vote for a resolution concerning the elections and Supervisor Hay stated not until the Town Board hears the results of their meeting with the Board of Elections.

TOWN BOARD COMMENT

There was no Town Board comment.

Councilman Alvarez made a motion to close the meeting and Councilman O'Connor seconded. All in favor.

Respectfully Submitted,

Michele Stancati
Southeast Town Clerk