

Town of Southeast
Procedures and Policies for Inspection and Maintenance Programs and Bonds

The following document summarizes the Town of Southeast's requirements with regards to Stormwater Inspection and Maintenance Programs and sets forth the standard practices and procedures for compliance with these provisions. Individual projects may vary from these practices based on their complexity.

§ 119-13 Maintenance agreement. [Note: same requirements as § 123-48D.(2)(a)]

The applicant shall submit a plan for ownership, construction, operation and maintenance of stormwater facilities. This plan shall provide for the inspection, operation and maintenance of each and every component of such facilities and shall specify the methods and procedures to be used to provide and ensure the funds required for such inspection, operation and maintenance and who will be responsible therefor. A four-year performance guaranty shall be provided for the entire stormwater management system by the developer to cover any modifications, corrections, or material failures. In addition, the developer shall fund or otherwise guarantee an inspection and maintenance program for a period of no less than 10 years. The Town may require the creation of a stormwater drainage special district to collect revenue and to fund inspection, operation and maintenance of such facilities under the coordination of the Town Engineer and/or MS4 Coordinator.

1. All projects subject to Chapter 119 are required to comply with the above condition.
2. Projects require the attached standard "Maintenance Agreement" and "Easement Agreement." **Fully executed copies*** must be filed with the Planning Board Secretary. ***See attached for directions***
3. The four-year performance guarantee shall be held as a bond by the Town Clerk and shall be based on the Town Engineer's estimate of construction costs.

PROCESS FOR EXECUTING AND FILING STORMWATER MANAGEMENT FACILITIES INSPECTION AND MAINTENANCE AND EASEMENT AGREEMENTS

Stormwater Management Facilities **Maintenance Agreement**

1. Applicant completes the form and attaches Metes and Bounds Property Description (part of the Deed to your property) as “Schedule A” as stated in first **WHEREAS**
2. Applicant has their signature on Agreement notarized.

Stormwater Management Facilities **Inspection and Maintenance Easement**

1. Applicant completes form and attaches Metes and Bounds Property Description (part of the Deed to your property) as “Schedule A” as stated in first **WHEREAS**
2. Applicant completes **FORM TP-584** available on New York State Department of Taxation and Finance Website <https://www.tax.ny.gov/>
3. Applicant has their signature on Easement Notarized.

Both Agreements

1. Applicant sends the agreements and associated documents to the Town Supervisor at 1360 Route 22, Brewster, NY 10509
2. Once agreements are approved by the Town Attorney, the Supervisor’s Office will sign and have the documents notarized. Please contact the Supervisor’s Office at 845-279-5345 with questions.
3. Town Supervisor’s Office will return the notarized documents to the applicant.

APPLICANT FILES DOCUMENTS WITH THE PUTNAM COUNTY CLERK’S OFFICE. THE COUNTY CLERK WILL REQUIRE ALL ATTACHMENTS BE INCLUDED AND ALL SIGNATURES BE NOTARIZED.

Stormwater Maintenance Plan developed to show plans for ongoing maintenance of post-construction stormwater practices must also be submitted to the Town with these documents.

AN ESCROW CHECK in one of the following amounts, made payable to “Town of Southeast,” must be submitted to the MS4 Administrator to establish an escrow account:

Minor projects (with less than 5 acres of disturbance) = \$750;

Major Projects (with more than 5 acres of disturbance) = \$1,500.

COPIES OF ALL FULLY EXECUTED DOCUMENTS and FILING RECEIPT FROM COUNTY CLERK

MUST BE SUBMITTED TO BOTH:

MS4 Administrator
1 Main Street
Brewster, NY 10509

Town Clerk
1360 Route 22
Brewster, NY 10509

(WITH ABOVE MENTIONED ESCROW CHECK)

ANNUAL INSPECTION & MAINTENANCE REPORT. The property owner or their representative must submit each year Inspection Reports by February 15 of every year. Reports must be filed with the MS4 Administrator and are available on the NYS Department of Environmental Conservation Website: <https://dec.ny.gov/environmental-protection/water/water-quality/stormwater/construction-stormwater-toolbox>
The first report is due on the February 15 that falls **one year after** Maintenance Agreement and Easement are accepted by the Town of Southeast.