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SE Town Board Regular Meeting 4/20/06

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Hi All,

Tue May 9, 2006 12:26 pm

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My apologies in advance for this delayed and much too long (17 items and tons of new business)-Zzzzzzzz, recap. Ugh, and I still have a Planning Board post mortem to bang out.

"Lynne Eckardt"
<midfarm@bestweb.net>

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Although the regular Town Board meeting Thursday the 20th went like clockwork there were more than a few good points raised under 'Public Hearings' and 'New Business'. I'm told that the 'New Business' portion of the meeting has become almost as much fun as watching the old Kent Town Board meetings. And that's really saying something.

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There were a few stellar moments during 'New Business'. One was watching Councilman Johnson insist that proposed Zoning Law 138 (the law which would 'prohibit' Big Box stores in Southeast) was 'town-wide' despite the fact that the HC-1 district is clearly exempt. Well, maybe not 'clearly' as it takes a few reads to figure this one out. In any case Mr. Johnson finally admitted that the HC-1 zone is in play, at least as far as the law is written.

Local celebrity spotting was fun as the always charming Mr. Camarda was in attendance... just in case any last minute agenda 'adjustments' were made. They weren't. Ooooo- and he sat almost directly in front of me- easily within kicking distance. But just as I have resisted many alluring 'hit and run' possibilities when encountering Mr. C in various town-owned parking lots I was well behaved here as well. My mother would be so proud.

There were a few other shining moments but I'll save them for 'Comments'.

As always the opinions expressed are my own completely fed-up musings on life in Southeast. They reflect no organization that has the grave misfortune of having me as a member.

REGULAR MEETING

Special Presentation: Mr. & Mrs. Snowman

Public Hearings:

7:30PM Reduction of Performance Bond - Weston Chase

Bond to go from \$487,100 to \$244,000. No questions from the audience.

7:31PM Special Permit - Fox Lane Boat Works- Fields Lane

The applicant, Paul Pasquantonio asked to amend his special permit to include retail space for selling bicycles. It was asked if a 'Special Permit' ran with the property. Town Attorney Willis Stephens said 'no'. Councilman Johnson was concerned about the commercial aspect for Fields Lane. A resident from North Salem Road expressed concern over traffic.

7:32PM Special Permit - Pennella, LLC Fields Lane:

This application is 10% office, 90% warehouse to store equipment. Town Attorney Stephens had written it up incorrectly (80%-20%) so the Public Hearing was kept open to be held again next month. I expressed concern that, the applicant could come back and receive outdoor storage as Westchester Tractor had done. (Ed. note: This property is also in the wetland buffer.)

7:33PM Amendment Local Law - Wetlands Ordinance - Deferred

7:34PM Brewster Commercial Complex - Special Permit Continuance

No questions were asked. Dan Hollis was the attorney representing the applicant.

1) Review of Minutes - March 16, 2006 Regular Meeting

Approved 4-0

22) Correspondence

Accepted 4-0

33) Approval of Voucher List in the amount of: \$1,926,900.20

\$1.2 Million is a bond renewal.

Approved 4-0

4) Motion - Approval of Budget Transfers - Attached

Approved 4-0

55) Motion setting Meeting Dates: Approved 4-0

April 27, 2006	7:30PM Civic Center	Work Session
May 11, 2006	7:30PM Civic Center	Work Session
May 25, 2006	7:30PM Civic Center	Regular Meeting

66) Motion Calling for the Following Public Hearings:

May 25, 2006	Civic Center	7:30PM	Fisher
Subdivision - 280a Referral			
		7:31PM	Stormwater
Annual Report			
		7:32PM	Amendment
Local Law - Wetlands			
		7:33PM	Amendment
Local Law - Veterans Exemption			

7) Resolution - Reduction of Performance Bond - Stonecrest Senior Housing

Deferred

8 8) Motion - Authorization for the Blackberry Park Capital Project, per NY State Contract Purchase estimated at \$39,000 Approved 4-0

9 9) Motion - Authorizing Supervisor to Sign 2006 Contract with Putnam County Real Property Tax Service

Approved 4-0

10) Resolution - Wetlands Permit, Arthur A. Landau Subdivision

Approved 4-0

11) Motion - Acceptance of Low Bid Submissions for Material per the Highway Superintendent's Recommendation

Approved 4-0

12) Resolution - \$260,000 Bond Resolution for Highway/Roadway Rehabilitation

Approved 4-0

13) Resolution - \$250,000 Bond Resolution for the Purchase of Dump Truck and Street Sweeper

Approved 4-0

14) Resolution - \$135,000 Bond Resolution for the Installation of a Granular Activated Carbon System for the Springhouse Water District

Approved 4-0

15) Resolution - \$115,000 Bond Resolution for the Replacement of the Control Equipment and Filter Internals at the Treatment Plant for the Brewster Heights Sewer District

Approved 4-0

16) Motion - Authorizing Supervisor to Approve Highway Spring Bids

Approved 4-0

17) Motion - Hiring of Cathleen Burns as the New Court Clerk

Approved 4-0

Executive Session: Possible Litigation

NEW BUSINESS:

Fields Lane:

A resident of North Salem Road asked what the plans were for Fields Lane. Supervisor Dunford explained that the Master Plan, done in 2002, addressed the issue and that it could be accessed on line. Paul Johnson thought Fields Lane the most dynamic section of town. Mr. Johnson continued that office space was difficult to request because of the vacancy rates in White Plain and NYC.

Starr Ridge Manor:

Susan Coyle asked if any of the Town Board members would be at the upcoming PLEC meeting. Ans. Yes.

Bob Parsons asked if there was an inter-municipal agreement ? No, only draft. Although Starr Ridge Manor will be able to opt out of the Sewer District it was unclear, when Brad Schwartz asked, how this would work. A letter from North Salem's Town Attorney was sent to vacant land owners asking if they'd want to join the Sewer District. Town Attorney Stephens had not seen the letter but said that the DEP would never allow more than a certain number of GPD flow through the system.

Vacancy Rates:

I asked Mr. Johnson what the commercial vacancy rates in NYC and Whiter Plains were. He did not know.

New Zoning Law:

I was told at a recent Town Board meeting that the new law restricting buildings to 25,000 was town-wide so I asked the TB for clarification. Mr. Johnson reiterated that it was townwide. I said except in the HC-1 district. Mr. Johnson said that this district was 'built-out' on 312 and didn't fit the criteria on Route 22. I mentioned that it didn't fit the criteria 'now'. There was no further comment.

Landfill:

I asked for an update on the landfill capping. The DEC has still not replied to a letter sent by the town. I asked if a Board member could meet with the DEC. Mr. Johnson said he had two years ago and the Supervisor said he had 7 months ago.

Wells Park:

I asked if there were new buildings out at Wells Park.

The Board said 'no'.

Garbage Contract:

a I asked that in light of the County savings this year will the Southeast Garbage contract be put out to bid. The Board hasn't made any decisions yet.

Old Town Hall:

I asked if the Old Town Hall renovations would be made. In light of the fact that a \$1.4 million bond was authorized in 1996. The Board said that when the sewer hook-ups were complete and the Village gives authorization to connect.

FOILING:

Cathy Croft said the Town's FOILING procedure was onerous and that the County's was much better. Councilman Honeck thought that the idea of sending a letter of acknowledgment to the FOILER made sense. The Town Clerk said that she gets so many FOIL requests (20 to 30 a week) that she would have to hire someone part time just to accomplish this.

COMMENTS:

Public Hearing: Penella: Fields Lane

Another equipment storage although the applicant says it will all be within a building. Yeah, well that's what Westchester Tractor promised... and less than a year later they were back for more. Cripes! 90% storage 10% office and not properly written up by our Town Attorney so Penella had to have the 'Public Hearing' extended for a month. Town Attorney Stephens also said that a 'special permit' does not run with the property. Huh? I can just picture selling a warehouse and disclosing that it has to be converted back into office space. I don't think so- or at least not that I've ever heard of in Southeast. Finally, Councilman Johnson's reference to Fields Lane as 'dynamic' was akin to that blind date you once had. You remember, the one where they told you the guy had a 'great eyes' and was a 'fabulous dancer'...

Springhouse Water:

Contaminated water was first discovered in the ironically

named 'Springhouse District' last fall. The Town Board had waited almost the maximum time (80 days) allowable to inform the Springhouse residents of the contamination so it's nice to see they are finally moving things along. Of course paying another 135 grand on top of the highest water rates in Southeast is probably not what residents had in mind when they purchased their homes there.

Fields Lane:

Yeah, it's the old Fields Lane rant. Except this time from a resident on Fields Lane. Simply put what could have been a 'Miracle Mile' is a mixed bag of everything from corporations to weekend flea markets. And it's fast becoming 'Landscaping Central'.

Another highlight was when Councilman Johnson insisted that one reason we don't have 'corporate growth' was the high vacancy rates in White Plains and NYC. Hmmm, I thought... from what I've been hearing this quote seemed specious at best. So after a little research I discovered that in NYC (as of 4/11/06) the commercial vacancy rate stood at 8.4% or the lowest rate since 2001. I was unable to find White Plains' rates- still I think Mr. J was playing pretty fast and loose with the facts here.

Starr Ridge Manor:

What can I say... The residents of Starr Ridge Manor really have it all together regarding the proposed Peach Lake Sewer District. From what I understand there are few (if any) failing septic systems in SRM, and, in fact, most of the neighborhood is not even within the Peach Lake drainage basin. So who in their right mind would want the added expense of sewers?

I think that this message has been heard loud and clear by the Town Board but would encourage SRM residents to stay as visible and vocal as they have been. In addition since 43% of the phosphorus loading is said to come from storm water run-off it behooves both North Salem and Southeast to clean-up this part of the pollution.

Landfill:

I really do think diamonds (or at least oil- old motor oil that is) will be discovered on site before the capping is completed. And we're still waiting for a response to a

letter sent seven months ago!#\$%^&* Well, I suppose snail mail is appropriate given the circumstances of this 20 year saga of ineptitude.

Garbage:

Direct from the 'Here we go again' Department... In light of the county saving money by awarding a recent bid to an approved carter I asked if our SE garbage contract would be put out to bid this year. I mean, this seems like a 'no brainer' to me. But nah, the Board doesn't want to be too hasty so right now putting the garbage contract out to bid is a definite 'maybe'.

Old Town Hall:

The Board will wait to be hooked up to the new sewer (or have written assurances from the Village Board) before making any improvements to Old Town Hall. These improvements were bonded (\$1.4 mil) back in '96. They did the facade and roof back then. Judging from the chic new orange construction barrier the roof isn't holding up all that well.

FOILing:

Cathy Croft doesn't complain about much. But she's dead on about this because FOILing in Southeast is no trip-to-Hollywood. [I do want to insert here that the Town Clerk's assistants are terrific- both professional and friendly.] The Town Clerk stated that because of the FOIL overload (20 to 30 a week) it would be impossible to send out a letter of acknowledgement to inquiring residents. A good friend decided to do a little research and discovered that over the past year we actually averaged about 13 FOILs a month. Hmmmmm, from 80 a month claimed (and that's lowballing it) to about 13 in reality.

Discretion being the better part of valor I'll not bother to comment. In fact, I'll leave the juvenile and sarcastic riff that you'd expect to your imagination.

Whew- that's it from my desk. As always please feel free to e-mail me with any comments or questions that you may have.

With Best Regards,
Lynne Eckardt

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SE Town Board Regular Meeting 4/20/06

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Lynne Eckardt
[lynneeckardt](#)

May 9, 2006
12:30 pm



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