

**TOWN OF SOUTHEAST
ORGANIZATIONAL MEETING
JANUARY 7, 2010
John J. Dunford Civic Center
1360 Route 22, Brewster, New York 10509**

Present: Supervisor Michael Rights
Councilman Roger Gross
Councilman Dwight Yee
Councilwoman Elizabeth Hudak
Councilman Robert Cullen

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

And: Approximately 70 persons

Notation of Exits
Pledge of Allegiance

Supervisor Rights made a motion to open the meeting. Councilman Gross seconded. All in favor.

ORGANIZATIONAL MEETING

SWEARING IN CEREMONY

Honorable Richard W. Vercollone was sworn in by Judge James Rooney
Honorable Gregory L. Folchetti was sworn in by Senator Vincent Leibell
Town Board Member Elizabeth Hudak was sworn in by Judge James Rooney
Town Board Member Robert Cullen was sworn in by Senator Leibell

Supervisor Rights presented Judge Rooney and Senator Leibell a Certificate of Appreciation.

RULES OF ORDER

Supervisor Rights made a motion to adopt Roberts Rules of Order. Councilman Gross seconded. All in favor.

MEETING DATES

Supervisor Rights made a motion to adopt the Town Board Meeting Dates as Thursdays, with the first two Thursdays as Worksessions, and the third Thursday as a Regular Meeting. Councilman Yee seconded. All in favor.

ROLL CALL VOTING ORDER

Supervisor Rights made a motion to set the Roll Call Voting Order of the Town Board as Councilman Cullen, Councilwoman Hudak, Councilman Gross, Councilman Yee, and Supervisor Rights. Councilman Yee seconded. Councilman Gross called for discussion and to reconsider the order. Councilwoman Hudak seconded. After discussion, Councilman Cullen made a motion to set the Roll call vote as Councilman Cullen, Councilwoman Hudak, Councilman Yee, Councilman Gross and Supervisor Rights. Supervisor Rights seconded. All in favor.

OFFICIAL DEPOSITORIES

Supervisor Rights made a motion to designate Mahopac National Bank and/or other banks that may be needed to be designated from time to time. Councilwoman Hudak seconded. All in favor.

TOWN ATTORNEY

Councilman Gross made a motion to appoint Willis H. Stephens Jr. the Town Attorney. Motion passed by a vote of 3 in favor, 2 abstained. (Rights & Yee)

OFFICIAL NEWSPAPER

Supervisor Rights made a motion to designate the Putnam County Press and Journal News, or any other paper necessary, as the Official Newspaper. Councilman Gross seconded. All in favor.

TOWN CLERK'S APPOINTMENTS

Supervisor Rights made the announcement of the Town Clerk's Appointments of Deputy Town Clerk Angela Milano and Deputy Town Clerk Michele Stancati.

COURT CLERK'S APPOINTMENT

Councilwoman Hudak made the announcement of the Re- appointment of Phyllis A. Dunford as Senior Court Clerk for the Southeast Justice Court.

TOWN HISTORIAN

Supervisor Rights made a motion to appoint James Nixon Town Historian. Councilwoman Hudak seconded. All in favor.

FIRE INSPECTOR

Supervisor Rights made a motion to Appoint Kenneth Clair as Town Fire Inspector. Councilwoman Hudak seconded. All in favor.

SAFETY COORDINATION OFFICER

Supervisor Rights made a motion to appoint Kenneth Clair as Town Safety Coordination Officer. Councilman Cullen seconded. All in favor.

TOWN CONSULTING ENGINEER

Councilwoman Hudak made a motion to designate Town Consulting Engineer Nathan Jacobson Associates and Various others as needed. Councilman Cullen seconded. Vote carried by a vote of 3 in favor, 1 nay, 1 abstained. (Rights & Yee)

DELEGATE TO ANNUAL ASSOCIATION OF TOWNS MEETINGS AND ALTERNATIVE

Supervisor Rights made a motion to appoint Ruth Mazzei and Roger Gross as Delegate and Alternate to The Annual Association of Towns Meeting. Councilman Cullen seconded. All in favor.

FIXED ASSETS OFFICER

Supervisor Rights made a motion to appoint Ronald Hund as Town Fixed Assets Officer. Councilman Gross seconded. All in favor.

MILEAGE RATES

Supervisor Rights made a motion to set the Town Mileage Rate according to Standard Federal Rate. Councilwoman Hudak seconded. All in favor.

STANDARD WORK DAY

Supervisor Rights made a motion to set the Standard Work Day in accordance with the Union contract, which is 9:00 AM to 4:30 PM. Councilman Gross seconded. All in favor.

DOG CONTROL OFFICER

Supervisor Rights made a motion to appoint Alan Jacknick as Dog Control Officer. Councilwoman Hudak seconded. All in favor.

PUTNAM COUNTY TO LEVY TAXES

Supervisor Rights made a motion to authorize Putnam County to Levy Taxes on behalf of the Town of Southeast. Councilman Yee seconded. All in favor.

PARKING ENFORCEMENT OFFICER

Supervisor Rights made a motion to appoint William Rieg as Town Parking Enforcement Officer. Councilman Gross seconded. All in favor.

BOARD SEATS

Supervisor Rights made a motion to appoint the following Board Seats. Councilman Yee seconded. All in favor.

Historic Sites Commission – Albert Bevacqua, Cathy Croft (term expiring 12/31/10)

Planning Board – Dan Armstrong

Zoning Board of Appeals – Edward Colello

Architectural Review Board – John Goudey, Lynne Eckhardt (term expiring 12/31/12)

Open Space Committee – Two openings to be filled at another date

Tonetta Lake Advisory Committee – Two openings to be filled at another date

Brewster Library – David Bruen, Lynn Marrison

Councilman Gross made a motion to re-appoint the following Board Seats. Councilman Cullen seconded. All in favor.

Open Space Committee – Don Burrows, Kerry Cunningham, Ann Fanizzi, Cherie Ingraham, Donna Relya, Dean Abbatemarco, and Mildred Nugent.

Tonetta Lake Advisory Board – Michael Langley, Roberto Tiburcio, Robert Lund, Karl Lebitsch, Karen Ratajack, and Robert Zubrycki

PLANNING BOARD CHAIRMAN

Supervisor Rights made a motion to appoint Tom La Perch as Planning Board Chairman. Councilman Gross seconded. All in favor.

PLANNING BOARD VICE-CHAIRMAN

Supervisor Rights made a motion to appoint David Rush as Planning Board Vice- Chairman. Councilman Gross seconded. All in favor.

ZONNING BOARD CHAIRMAN

Supervisor Rights made a motion to appoint Edward Colello as Zoning Board Chairman. Councilwoman Hudak seconded. All in favor.

ZONING BOARD VICE-CHAIRMAN

Supervisor Rights made a motion to appoint Thomas Costello as Zoning Board Vice-Chairman. Councilwoman Hudak seconded. All in favor.

ARCHITECTURAL REVIEW BOARD CHAIRMAN

Supervisor Rights made a motion to appoint Thomas Frasca as the Architectural Review Board Chairman. Councilman Yee seconded. Vote was defeated by a vote of 2 in favor (Rights & Yee), 3 against, 0 abstained.

Councilman Gross made a motion to appoint John Goudey as the Architectural Review Board Chairman. Councilman Cullen seconded. Vote was carried by a vote of 3 in favor, 2 against (Rights & Yee), 0 abstained.

WETLANDS CONSULTANT

Supervisor Rights made a motion to appoint Steven Coleman as Town Wetlands Consultant. Councilwoman Hudak seconded. All in favor.

HIGHWAY DEPARTMENT

Supervisor Rights made a motion to appoint Councilman Gross as Liaison for the Highway Department. Councilwomen Hudak seconded. All in favor.

RECREATION DEPARTMENT

Supervisor Rights made a motion to appoint Councilman Yee and Councilman Cullen as Liaisons for the Recreation Department. Councilwoman Hudak seconded. All in favor.

WEBSITE

Supervisor Rights made a motion to appoint Councilman Yee and Councilman Cullen as Website Liaisons. Councilwoman Hudak seconded. All in favor.

NEW BUSINESS

Supervisor Rights made additional Liaison Appointments. They are as follows:

Putnam County Liaison – Councilwoman Hudak
Brewster Village Liaison – Supervisor Rights
Croton Watershed Liaison – Supervisor Rights
IDA Liaison – Supervisor Rights
Special Districts Liaison – Supervisor Rights
Parking Liaison – Supervisor Rights
Cable Liaison – Supervisor Rights
Fios Liaison – Supervisor Rights
Code Enforcement Liaison – Councilman Yee
Landfill Closure and Planning Board Liaison – Supervisor Rights
ZBA Liaison – Councilman Gross
Tonetta Lake Advisory Board Liaison – Councilman Cullen
Open Space Committee Liaison – Councilwoman Hudak
Dog Control Liaison – Supervisor Rights

GARBAGE UPDATE

Councilman Yee addressed the concerns that the Condo's were having with the garbage pick-up and reported that the extra garbage was picked up.

Councilwoman Hudak reported that she and Councilman Cullen had visited Hunter's Glen and that they still had two sets of dumpsters. They were as concerned as the residents reported that the dumpsters were in parking spaces and that it might make snow removal harder. She then deferred to the Town Attorney for an update.

Town Attorney Willis Stephens explained that because of the transition of contractors for the refuse removal and the question over who will be the contractor for the next three coming years, there were containers from both companies at the Condo's. He also said that he had a gentlemen's agreement with AAA's attorney that AAA would remove their containers. Mr. Stephens advised that apparently AAA was not living up to the agreement, but because the containers are on private property and not Town Property, the Condo Boards may have to take action against AAA directly.

Mr. Stephens advised that the underlying cause for the dispute is that AAA appealed the Town Board's decision to award the refuse removal contract to Sanipro. Supreme Court Judge Andrew O'Rourke ruled in favor of AAA. An appeal was filed by Sanipro, and Sanipro's attorneys filed a motion with the Appellate Court seeking a Stay of the Lower Court's Decision. The Town has also filed a Notice of Appeal to preserve its rights. The Appellate Court granted a temporary Stay of the Lower Court's decision and order pending a hearing by a four judge Appellate panel on the issue of a Stay pending a hearing and determination of the appeal. As it stands now, Sanipro will be picking up the Town's residential waste until the Appellate panel rules otherwise.

Councilman Gross made a tour of Fieldstone and said they were in good shape. He also said that there was some confusion on the pick-up days for private residents because of the Holidays, but that should be resolved by now.

Supervisor Rights made a motion to close the meeting. Councilman Gross seconded. All in favor.

Respectfully Submitted

Michele Stancati
Deputy Town Clerk