

REGULAR MEETING
Southeast Town Clerk Minutes
January 17, 2008 7:30 PM
John J. Dunford Civic Center
1360 Route 22
Brewster, NY 10509

Present: Supervisor Michael Rights
Councilman Paul P. Johnson
Councilman Richard B. Honeck
Councilman Roger Gross
Councilman Dwight Yee

Also: Town Clerk Ruth A. Mazzei
Town Attorney Willis H. Stephens, Jr.

And: Approximately 20 persons

Councilman Honeck made a motion to open the meeting and Councilman Yee seconded.
All in favor.

Pledge of Allegiance
Notation of Exits

PEACH LAKE PROJECT

Honorable Paul Greenwood, the Town Supervisor of North Salem was present to speak regarding Peach Lake District. He spoke of expediting the Peach Lake District. It is important that North Salem take the lead. Southeast will lose no control. North Salem will have to go to the Southeast Planning Board for approval. March 3, 2008 is the deadline. The time frame is doable. The bid packet will go out by July and awarded in September. He would like both towns to work together as one application. AKRF submitted a proposal.

RESOLUTION # 01//2008 PEACH LAKE SEWER DISTRICT-INTERMUNICIPAL COOPERATION/SEWER TREATMENT PLANT-SEORA LEAD AGENCY

Introduced By: Councilman Honeck
Seconded by: Councilman Gross

WHEREAS, this Town Board adopted a resolution calling for the circulation of its intent to declare the Town Board of the Town of Southeast "Lead Agency" in connection with the coordinated review of an action or series of actions to be taken by the Town of Southeast in cooperation and coordinated with the Town of North Salem known generally as the Peach Lake Sewer District; and

WHEREAS, the action or actions entail the establishment of Special Benefit Districts under Town Law in North Salem and in Southeast which will serve the residents within the proposed districts by providing for the construction and maintenance of a system of waste water collection and treatment in and around the Peach Lake vicinity (hereinafter the "Project"); and

WHEREAS, North Salem and Southeast have entered into an Inter-municipal Agreement under which such system of waste water collection and treatment will be funded and operated; and

WHEREAS, a majority of the properties to be served by the system are located in North Salem and, therefore, the IMA calls for North Salem to play a lead role in the administration of the proposed project; and

WHEREAS, it would be redundant and a waste of valuable resources for each Town to conduct its own, separate review under SEQRA; and

WHEREAS, an orderly and timely completion of the procedures pursuant to SEQRA is essential to the ultimate success of the overall project; and

WHEREAS, Southeast as an Involved Agency, can and will exercise its autonomy and independent oversight of the environmental review and analysis.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Southeast hereby rescinds the resolution heretofore adopted directing the circulation of its intention to declare itself Lead Agency in connection with the SEQRA review of the Project, and be it further

RESOLVED, that the Town Board of the Town of Southeast hereby accepts and supports the establishment of the Town Board of the Town of North Salem as and for Lead Agency to coordinate and orchestrate all necessary and appropriate environmental review of the Project pursuant to the requirement of SEQRA; and be it

RESOLVED, that the Town Clerk be and she hereby is authorized and directed to forward a certified copy of this resolution to the Clerk of the Town of North Salem and to all other Involved and Interested Agencies heretofore identified in connection with the Project.

UPON ROLL CALL VOTE:

Supervisor Rights - Aye
Councilman Honeck – Aye
Councilman Gross – Aye

Councilman Johnson – Aye
Councilman Yee – Aye

VOTE: carried by a vote of 5 in favor, 0 against; 0 abstained.

REVIEW OF MINUTES

Councilman Honeck made a motion to defer the approval of the minutes of the January 3, 2008 meeting; Supervisor Rights seconded. All in favor.

CORRESPONDENCE

Councilman Honeck made a motion to waive the reading of the correspondence and Councilman Gross seconded. All in favor.

Correspondence Received

ACORD Certificate of Liability Insurance Re: Alvin Petroleum Systems, Inc.
ACORD Certificate of Liability Insurance Re: Quality Environmental
Brewster-Southeast Joint Fire District Re: Official Results for the Election for One Fire Commissioner
Croton Falls Fire District Re: Canvassed Votes at Annual Election Croton Falls Fire District, Town of North Salem
North American Quarry & Construction Services Re: Notice of Blasting 53 & 55 Zimmer Road
Peach Lake Sewer District Re: 11/29/07 Special Meeting of Town Board of Town of Southeast Declared it's Intent to be Lead Agency
NYS DEC Re: Formation of Peach Lake Sewer District DEC Clearinghouse No. 1756

NYS DEP Re: Declaration of Intent to be Lead Agency Peach Lake Sewer District Town of North Salem DEP Log No. 2007-EB-0244-SQ-1
 ACORD Certificate of Liability Insurance Re: Southeast Mechanical Corp.
 ACORD Certificate of Liability Insurance Re: Somers Sanitation, Inc.
 Jacobson Re: Brewster Transit Mix, Fields Lane Request for Bond Release NKLJ #0001-0800 - One Geneva Road International Blvd & Geneva Road NLJ #0001-0863 - Tremblay Site Plan Sketch Site Plan NLJ #0001-0892 – Commercial Building 12 Old Route 6 NLJ #0001-0891
 New York City DEP Re: Declaration of Intent to be Lead Agency Peach Lake Sewer District Town of North Salem DEP Log No. 2007-EB-0244-SQ.1
 ACORD Certificate of Liability Insurance Re: Sani-Pro Disposal Services – Administaff Companies, Inc.
 Town of North Salem Re: Resolution #239-07 to Adopt Amended Stormwater Law for Erosion and Sedimentation
 State of New York Workers’ Compensation Board Re: Duro-Shed, Inc. Effective Date of Membership 1/1/08 – 1/1/09

FOILS:

Alfred H. Mattikow Re: Request for Planning Board File Relating to Southeast Corporate Park and Related Dealings with Ernest & Diane Rivellino
 Michael Riolo Re: Request for Wetland Permit Application for 75 Fields Lane and any Reports, Memoranda, Letters or other Documents Concerning the Application, Including Town Board Resolution #31/07
 Donald A. Mituzas Re: Request for Building Department Records for 73 Maple Drive Including CO’s and Permits

Correspondence Sent

Philip Franz from John Dunford Re: Motion from 12/20/07 Meeting to Hire Franz and Franze to Design a Storage Room at 1360 Route 22
 Rich France, P.E. from Jim Lawlor Re: Lower Mine Road Closure Extension
 Residents within the Peaceable Hill Water System from Michael Levine Re: Water Quality Issues
 NYS EFC Certificate and Disbursement Request # 39
 Mr. Bruce Ewen from James Lawlor Re: Plowing on Sherry’s Lane

VOUCHERS

Councilman Honeck made a motion to approve the vouchers list for January as submitted. Councilman Johnson seconded. All in favor, except Supervisor Rights and Councilman Yee, who abstained.

MEETING DATES

Councilman Gross made a motion to set the following meeting dates Councilman Johnson seconded and all in favor.

February 7, 2008	7:30PM	1360 Rt. 22	Work Session
February 21, 2008	7:31PM	1360 Rt. 22	Reg. Meeting/Public Hearing Suozzi Sp. Permit
February 28, 2008	7:30PM	1360 Rt. 22	Work Session

WELLS POND SUMMER CAMP

Supervisor Rights made a motion to authorize the Wells Summer Camp to continue and to look into temporary solutions for the camp. The Southeast Recreation fees will be reduced accordingly. Councilman Gross seconded and all in favor.

MEETING VENUE

Councilman Johnson made a motion to have the Planning Board and the Zoning Board of Appeals meet at The Johns J. Dunford Civic Center, 1360 Route 22 for all future meetings. Councilman Gross seconded and all in favor, except Supervisor Rights and Councilman Yee, who voted no.

RESOLUTION #02 /2008 TOWN OF SOUTHEAST, NEW YORK/NYS ENVIRONMENTAL FACILITIES CORPORATION,

Introduced By: Councilman Gross
Seconded By: Supervisor Rights

WHEREAS, the NYS Environmental Facilities Corporation (NYSEFC) has requested verification that D. Michael Rights has filled the position of Town Supervisor of the Town of Southeast and that Dwight Yee, has filled the position of town council,

WHEREAS, NYSEFC has further requested that the Town of Southeast assign a Notice Person and Primary Contact and a designated second notice person and second primary contact for the Town of Southeast Upgrade Projects; and

WHEREAS, D. Michael Rights was duly sworn as the Supervisor of the Town of Southeast and Dwight Yee was duly sworn as Councilman of the Town of Southeast

NOW, THEREFORE, BE IT

RESOLVED, that Town Supervisor D. Michael Rights is hereby designated as the Notice Person and Primary Contact and Dwight Yee as a second authorized signer if so needed for the NYSEFC for the Town of Southeast Sewer District Upgrade Projects, effective immediately; and be it

RESOLVED, that a certified copy of this Resolution shall be immediately forwarded to: NYSEFC, 625 Broadway, Albany, NY 12207, Attn: Lynne Vandenberg, as verification that D. Michael Rights is the new Supervisor of the Town of Southeast and has been duly designated as Notice Person and Primary Contact for the NYSEFC, with Dwight Yee being the alternate signer if called upon.

UPON ROLL CALL VOTE:

Supervisor Rights – aye
Councilman Johnson - aye
Councilman Honeck - aye
Councilman Gross – aye
Councilman Yee – aye

VOTE: carried by a vote of 5 in favor, 0 against; 0 abstained.

LEGAL SERVICES

Councilman Johnson made a motion to authorize the Supervisor to seek Proposals for Legal Services. Councilman Honeck seconded and all in favor.

PROSECUTIONS

Councilman Gross made a motion to authorize Joseph Charbonneau, Esq. To continue Prosecutions of Simons Junkyard and Anan Estate Matters. Councilman Johnson

seconded. All in favor; except Supervisor Rights and Councilman Yee, who voted against it.

PC HUMANE SOCIETY

Supervisor Rights made a motion to defer the vote on the Putnam County Humane Society and Councilman Honeck seconded. All in favor.

DOG SHELTERING

Supervisor Rights made a motion to defer the authorization regarding Sheltering Contracts. Councilman Honeck seconded and all in favor.

NEW BUSINESS

Blackberry Park District – January 24, 2008 worksession

Sheriff – would like them at certain intersections. The Supervisor will call Sheriff Smith to have him in at a worksession.

ZIMMER PARK - Supervisor Rights made a motion to reject bids for the fencing and to re-bid the same. Councilman Yee seconded and all in favor.

Freezing of Assessments – worksession of February 7, 2008

Sell/lease back – The Supervisor would like to sell the new Town Offices, at 1360 Route 22 and then lease it back again.

WIDENING OF ROUTE 22 - Supervisor Rights made a motion to authorize the Supervisor to write a letter to NYS DOT to request the widening of Route 22. Councilman Johnson seconded with the stipulation that the Supervisor send a draft copy to the Town Board first. All in favor.

Audit of Vouchers – for 2006 the costs for a full blown audit of the Town’s Financials was \$5,000. Three Town Board members rejected the Supervisors request to have a third party audit vouchers and deemed it as a waste of money.

RESOLUTION # 03/2008 BREWSTER/SOUTHEAST REVITALIZATION COMMITTEE

Introduced By: Supervisor Rights
Seconded By: Councilman Honeck

WHEREAS, the Village of Brewster is a independent municipality and body corporate and politic located wholly within the Town of Southeast; and

WHEREAS, the Town of Southeast owns land, buildings and facilities located within the Corporate limits of the Village of Brewster; and

WHEREAS, it is the sense of this Town Board that the revitalization and improvement of the Village of Brewster will have a most positive and beneficial impact on the Town of Southeast and the region; and

WHEREAS, it is the further sense of this Town Board that certain economies can be realized through the cooperative effect among elected officials in the Village of Brewster and the Town of Southeast.

NOW, THEREFORE BE IT

RESOLVED, (if the Board of Trustees of the Village of Brewster shall concur) that:

- (a) An inter-municipal committee to be known as the Brewster-Southeast Revitalization Committee (the “Committee”), be and hereby is formed.
- (b) The Committee shall be made up of the Supervisor and the members of the Town Board of the Town of Southeast and the Mayor and the members of the Board of Trustees of the Village of Brewster.
- (c) The Committee shall be chaired jointly by the Supervisor of the Town of Southeast and the Mayor of the Village of Brewster.
- (d) The Committee shall meet periodically, but not less than monthly, as a whole, at a time and place to be designated by consensus of the members.
- (e) The Committee shall have such sub-committees as may be deemed appropriate by the Committee, which sub-committees shall be constituted by an equal number of Town Board Members and Members of the Board of Trustees. The Supervisor and Mayor shall be ex-officio members of all sub-committees. Such sub-committees shall meet periodically as may be determined by the members of such subcommittees.
- (f) The Committee as a whole shall have as its stated mission: “to work cooperatively in an effort to identify opportunities and implement programs aimed at the beautification and economic revitalization of the Village of Brewster and its surrounds.” The members of the Committee shall work cooperatively to further define and refine the mission, goals and deliverable objectives of the Committee.
- (g) The Committee shall continue to exist until such time as either or both of the governing boards of the respective municipality votes to disband the Committee.

UPON ROLL CALL VOTE:

Supervisor Rights – Aye	Councilman Johnson – Aye
Councilman Honeck – Aye	Councilman Yee – Aye
Councilman Gross – Aye	

VOTE: carried by a vote of 5 in favor, 0 against; 0 abstained.

Selling of Fleet Cars – It was discussed regarding inventory and cost analysis of all town owned vehicles.

Old Town Hall - \$350,000 was spent so far. The board will need to authorize a bond for the future costs.

Block Building – The Brewster Police Department would like to use the building for their offices. A letter was received from the Mayor.

EASEMENT

Councilman Johnson made a motion and seconded by Councilman Honeck to authorize the Supervisor to sign the easement agreement with the Village of Brewster, after Town Attorney review, to hook up the Block Building, etc. to the sewer system.

Agenda – the Town Board needs to give items for the agenda to the Town Clerk earlier so it can be distributed earlier.

PC Humane – to be discussed on January 22.

SPECIAL MEETING

Councilman Johnson made a motion to set January 24, 2008 as a Special Meeting. Councilman Honeck seconded and all in favor.

RECORDS ACCESS OFFICER

Councilman Johnson made a motion to appoint Ruth A. Mazzei as Records Access Officer. Councilman Honeck seconded and all in favor.

MAIL DISTRIBUTION

Councilman Johnson made a motion to instruct the Postmaster to direct all Town mail and correspondence to the Town Clerk's Office for distribution. Councilman Honeck seconded and all in favor except Supervisor Rights and Councilman Yee who voted against it.

WEB SITE CO-ORDINATOR

Supervisor Rights made a motion to appoint Dwight Yee as Web Site Co-coordinator and Dwight Yee seconded. All in favor.

WEB MASTER

Councilman Johnson made a motion to designate Joe Vera as Webmaster at a rate of \$85.00 per hour until further notice. Councilman Yee seconded.

Supervisor Rights – nay
Councilman Johnson - aye
Councilman Honeck – aye
Councilman Gross – aye
Councilman Yee – aye

Vote not carried: 4 ayes, 1 nay; 0 abstained

PUBLIC COMMENT

It was suggested that all agenda items be noticed, so the public will know what the Town Board is discussing.

When asked if the public will be allowed to speak at worksessions, the Supervisor said yes.

A resident said that freezing assessments is a smoke screen. Only real way to cut taxes is to reduce spending.

It was suggested that the Town Board be more proactive with respect to Route 22.

EXECUTIVE SESSION

Supervisor Rights made a motion to enter into executive session regarding Code Enforcement Litigation. Councilman Johnson seconded and all in favor.

January 17, 2008

Supervisor Rights made a motion to close the executive session and regular meeting,
Councilman Gross seconded and all in favor.

Respectfully submitted,

Ruth Argo Mazzei
Southeast Town Clerk