

**TOWN CLERKS MINUTES
REGULAR MEETING
TOWN BOARD
JANUARY 25, 2007**

Present: Supervisor John J. Dunford
Councilman Richard Honeck
Councilwoman Lorraine Mitts

Also: Town Clerk Ruth A. Mazzei
Town Attorney Willis H. Stephens Jr.
Highway Superintendent James Lawlor

Absent: Councilman Bonanno
Councilman Johnson

DRAFT

REGULAR MEETING

Pledge of Allegiance
Notation of Exits

PUBLIC HEARING

**PUBLIC HEARING - PROPOSAL TO INCREASE 2007 SENIOR CITIZEN
EXEMPTION**

Supervisor Dunford made a motion to open the hearing and Councilman Honeck seconded. All in favor. Town Clerk Mazzei read the legal notice. Supervisor Dunford made a motion to open the Regular Meeting and Councilwoman Mitts seconded. All in favor. The Supervisor explained that the cost is based on a sliding scale. There were no other comments from the town board or the public. Supervisor Dunford made a motion to close the hearing and Councilwoman Mitts seconded. All in favor.

**PUBLIC HEARING - RELEASE OF PERFORMANCE BOND FOR STONECREST
SENIOR HOUSING**

Supervisor Dunford made a motion to open the hearing and Councilman Honeck seconded. All in favor. Town Clerk Mazzei read the legal notice. The Supervisor explained that this was the final release. The bond was \$126,400 and is now \$0. The town engineer sent a letter recommending the release since he has inspected the project.

Originally there was a problem with the detention but since has been cleared up. Supervisor Dunford made a motion to close and Councilwoman Mitts seconded. All in favor.

PUBLIC HEARING- REDUCTION OF PERFORMANCE BOND FOR TRIPLE J SUBDIVISION

Supervisor Dunford made a motion to open the hearing and Councilwoman Mitts seconded. All in favor. Town Clerk Mazzei read the legal notice. Supervisor Dunford explained that the bond was reduced from \$520,000 to \$260,100. Three letters were submitted for the record from Brian Alberghini, Hogan & Rossi, and the Town Engineer. (attached at end of minutes). Supervisor Dunford said that Mr. Alberghini was copied on all the correspondence and all the issues have been addressed. The Supervisor gave a one week period to accept any responses. Councilman Honeck made a motion to close the hearing and Councilwoman Mitts seconded. All in favor.

PUBLIC HEARING - ACCEPTANCE OF INTERNATIONAL BOULEVARD AS A TOWN ROAD

Councilwoman Mitts made a motion to open the public hearing and Councilman Honeck seconded. All in favor. Town Clerk Mazzei read the legal notice. Supervisor Dunford stated that the road has been inspected by the town highway superintendent and the town engineer. There were no comments given. Supervisor Dunford made a motion to close the hearing and Councilman Honeck seconded.

REVIEW OF MINUTES

Councilwoman Mitts made a motion to review the minutes of the Regular Meeting of December 14, 2006 and Organizational Meeting of January 4, 2007. Councilman Honeck seconded. All in favor.

CORRESPONDENCE

Supervisor Dunford made a motion to waive the reading of the correspondence and Councilwoman Mitts seconded. All in favor.

Correspondence Received

1. Donald F. De Vries to the Supervisor Re: Stateline Retail Center
2. AKRF to the Supervisor Re: North Salem CPU SEQRA Findings Statement
3. Michael Carrieri to the Supervisor Re: Apprentice Bill
4. Miller Environmental Group Inc. Re: Town of Southeast Landfill Video Inspection of

Drainage Culvert

5. Anthony Eagan Re: Blackberry Hill WWTP - Bid Documents NYC Watershed - WTP Upgrade Program Job #80372.03
6. John J. Hogan to the Supervisor Re: Reduction of Performance Bond Triple J. Subdivision
7. Brian Alberghini Re: Reduction of Performance Bond, Triple J. Subdivision
8. ACORD Certificate of Liability Insurance Re: Allied Waste North America, Inc
9. James Bryan Bacon, Esq., P.C. to the Supervisor Re: Demolition of Barn for Strazza Subdivision
10. State of New York Office of Real Property Services Re: 2006-2007 Real Property Tax Administration Technology Improvement Program A2 Grant Application
11. Jacobson Re: Tillman Lane Weston Chase Subdivision NLJ #0001-0775
12. New York State Thruway Authority to the Supervisor Re: Snow and Ice on Overhead Bridges
13. Insite to the Supervisor Re: SLS Residential, Inc. Putnam Avenue & U.S. Route 6 Tax Map No. 56.18-1-34.1
14. Robert A. Dennison III, P.E. to the Supervisor Re: PIN 8130.64, Route 22, I-684 to C.R. 65 Town of Southeast
15. NYS Department of Transportation Re: PIN 8130.64 Route 22, I-684 to C.R. 65
16. Michael Carriere to the Supervisor Re: Apprentice Bill
17. Croton Falls Fire District Re: Certificate of Inspectors of Election
18. Advanced Waste Systems Re: Fed Ex# for Check
19. New York Municipal Insurance Reciprocal to the Supervisor Re: Claimant Exxon Mobil Oil Corporation
20. Sterling Re: Project #E 99016 - Town of Southeast Landfill
21. Jacobson Re: Palazzetti Office/ Warehouse Hardscrabble Heights Drive Request for Bond Reduction NLJ #0001-0797, Pennella, LLC Final Review NLJ #0001-0843, JVF Management Site Plan, Work Session Review #0001-0877, Terravest II Subdivision Proposed Road Dedication NLJ #0001-0744, Ace Endico Amended Site Plan, Amended Site Plan Review NLJ #0001-0794, Brewster/Southeast Joint Fire District Lot Line Adjustment Sketch Subdivision NLJ #0001-0876, Maplewood North Group Subdivision Property of Green Chimneys Continued Sketch Plan Review NLJ #0001-0384, Temple Beth Elohim Review for Release of Performance Bond NLJ #0001-0770, Brewster/Southeast Joint Fire District Sketch Site Plan NLJ #0001-0876
22. Sharon Scott to the Supervisor Re: Peach Lake Sewer District Project
23. Sharon Scott to Supervisor Globerman cc Supervisor Dunford Re: Vail's Grove Waste Water Treatment Plant
24. P. F. Tringali Builders, Inc. Re: Rock Dell Farm Barn
25. Sharon L. Codeanne Re: Comcast - Pricing Adjustments
26. ACORD Certificate of Liability Insurance Re: RCN Corporation, Saxton Corporation, P&D Electric of Hudson Valley, Inc.
27. Watkins & Cherneff Re: Sutton Corporate Park Subdivision, Fields Lane
28. NYS DEC Re: Croton Falls Diverting Dam
29. Kenneth S. Rones, Esq. Re: SLS and Southeast Properties
30. Sheriff Donald B. Smith Re: Security Services for the Town of Southeast Facilities
31. Jett Industries Re: Brewster Heights WWTP Project

32. MARSH Certificate of Insurance Re: Reclamation Inc. of Kingston
33. ACORD Certificate of Liability Insurance Re: S&S Fire Suppression Systems, Inc.
34. Sy Globerman Re: Watershed Funds
35. NYMIR NYS Workplace Violence Prevention Act
36. Acord Certificate of Liability Insurance Re: Quality Environmental Solutions & Technologies, Inc.
37. Acord Certificate of Liability Insurance Re: Jett Industries Inc. C&F Fabricators & Erectors Inc
38. Acord Certificate of Liability Insurance Re: JD Parrella Electric Inc.
39. Liberty Mutual Certificate of Liability Insurance Re: Treco Corporation
40. Putnam County Dept. of Health Re: Year 2007 Sampling and Reporting Requirements NYS Sanitary Code for Water Supply
41. Spain Agency to Supervisor Re: NYS Workplace Violence Prevention Act
42. Cuddy & Feder to Supervisor Re: Putnam County IDA 2006 Straight Lease Transaction (Broad Reach, LLC Project)
43. Skip Weinstock to Supervisor Re: Jan. 2007 meeting with Mr. Sy. Globerman and Supervisor to discuss WWTP project
44. Hahn Engineering to Supervisor Re: Proposed Peach Lake Sewer Districts Towns of North Salem and Southeast
45. Putnam County Office of the Sheriff to Supervisor Re: No Trespassing Signs
46. Office of the Supervisor Town of Somers Re: "A Model Stormwater Management Program for Municipal Separate Storm Sewer Systems in the Croton Watershed
47. Town of Southeast Accounting Dept to All Departments Re: Fixed Assets
48. NYS Dept. of Environmental Conservation Re: Post-closure water quality monitoring at the Southeast Landfill
49. NYS Dept of Transportation Re: Petition of Metro-North Commuter Railroad Company, alterations at the Pumphouse Road crossing
50. Paul M. Gavin Attorney at Law to Putnam County Clerk Re: Oak Ridge Partnership and Quantum Realty Vs. William Ford, Assessor
51. Putnam County Dept. of Finance Re: Computation of Direct and Underlying Debt in the Statistical Section of Putnam County's audited financial statements
52. NYS Environmental Facilities Corporation to Willis H. Stephens, Jr. Re: NYC Watershed Upgrade Program Brewster Heights Sewer District #1 - Fourth Amendment
53. Putnam Co. Office of the Sheriff Re: Crime Statistic for the Town of Southeast & the Village of Brewster for the months of September & October 2006
54. Ron Hund Accounting Dept to Supervisor Re: Postage Machine lease will end on 3/31/2007
55. Sy Globerman Supervisor Town of North Salem Re: NWWC \$50 million resolution for Water Quality Improvements projects to only the Environmental and Appropriations Committees
56. Jacobson Re: Home Depot USA, Inc. Independent Way Amended Site Plan Review NLJ #0001-0867
57. Jacobson Re: Pennella, LLC 261 Fields Lane Southeast, New York Bond Estimate NLJ #0001-0843
58. Jacobson Re: High Meadow Farm Welfare Road Final Subdivision Review NLJ#0001-0667

59. Jacobson Re: Old Milltown Road 3-Lot Subdivision J. P. International Development Corp. Final Review NLJ #0001-0820
60. J. P. International Subdivision Old Milltown Road Southeast, N. Y. Bond Estimate NLJ #0001-0820.
61. Jacobson Re: Holly Stream WWTP Upgrade we have received no additional information for the subject project since our Nov. 8 2006 review letter
62. Jacobson Re: High Meadow Farm Subdivision Welfare Road Southeast, N. Y. Bond Estimate NLJ #0001-0667
63. Keane & Beane, P. C. to Supervisor & Town Board Re: Zoning Map Change Tax Map 78.-1.-1
64. U. S. Dept. of Commerce U. S. Census Bureau Re: 2007 Boundary & Annexation Survey (BAS) to update Information regarding legal boundaries

Foil Requests:

1. Katherine P. Dwyer Re: The Most Recent Environmental Assessment Form
2. Peter Domin Re: Budget for 2006 Blackberry Pool & Park
3. Cathy Croft Re: November 16, 2006 Regular Town Board Minutes in Electronic Form
4. Gregory L. Folchetti Re: Building, Planning and Zoning Department Files for Brewster Auto Wrecking, Inc. Including all Notice of Violations
5. Shambert Marwell Davis & Hollis, P. C. Re: Property known as 330-38 Old Mine Road, current owner, Aman Estates LLC: Copy of a Certificate of Occupancy dated Nov. 23, 1983, Permit No. 4953.
6. Catherine Croft Re: Total Compensation paid to Southeast Highway Superintendent for 2006 - for all "titles" performed
7. Kathleen Radigan Re: Date of Town Board Resolution as to when exactly the four acre zoning of the "Meadows @ Deans Corners" was enabled - Date when elimination of any Boulevard as a means of secondary access was passed
8. Chris Aivaliotis Re: Building Permit - Existing Plan's for 188 Joe's Hill Road Brewster, N. Y.
9. Tim Miller Associates Re: Town of Southeast Code regarding Fire apparatus for Commercial development

Correspondence Sent

1. Honorable John Degnan Re: Shared Municipal Services Incentive Program (SMSI)
2. Insite Engineering Re: Escrow Account - Brewster/Southeast Joint Fire District Milltown Road
3. Anita Gilbert Re: EOH Funds
4. Supervisor Dunford from Michael Levine Re: Cost Estimate for Tank Replacement at Springhouse and Foxhill
5. John M. Watson, P.E. Re: SLS Residential, Inc., Parcel 56.18-1-34.1
6. Daniel L. DuBois Re: Brewster Heights WWTP Upgrade Construction Completion of Contract
7. Town Board from Michael Levine Re: Video Inspection of Metro North Drainage Culvert

8. NYS EFC Re: Certificate of Disbursement Request #31
9. NYS EFC Re: Certificate of Disbursement Request #32
10. Noel P. Russ Re: Video Inspection of Drainage Culvert at Town of Southeast Landfill
11. Mr. Paul Daniele Re: Foxhill and Springhouse Water District Improvement Projects
12. Residents of Townsend Lane Re: Dedication as a Town Road at the Regular Meeting held on December 14, 2006
13. Supervisor Dunford from Michael Levine Re: Emergency Tree Pruning and Removal at Town Parks
14. B. Ford Ron Hund J. Lawlor M. Levine from Supervisor Re: NYMIR Renewal
15. Robert H. Sammons, PE NYS Environmental Facilities Corp. from Michael Levine Re: Report #76 Blackberry Hill Sewer District Treatment Facility
16. Insite Engineering from George Rohrman Re: Waterview Estates Subdivision Allview Avenue & Route 22

VOUCHERS

Councilman Honeck made a motion to approve the voucher list in the amount of \$895,063.61. Supervisor Dunford seconded. All in favor.

MEETING DATES

Councilwoman Mitts made a motion to set the following meeting dates and Councilman Honeck seconded. All in favor.

February 1, 2007 7:30PM Civic Center Work Session
February 15, 2007 7:30PM Civic Center Regular Meeting
February 22, 2007 7:30PM Civic Center Work Session/Special Mtg.

PUBLIC HEARINGS

Supervisor Dunford made a motion calling for the following Public Hearings. Councilwoman Mitts seconded. All in favor.

February 15, 2007 Civic Center 7:30PM Root Ave. Sign Plan

RESOLUTION # 01 /2007 REDUCTION OF PERFORMANCE BOND - PALAZETTI OFFICE/WAREHOUSE

Introduced By: Councilman Honeck
Seconded By: Councilwoman Mitts

WHEREAS, the Town Board of the Town of Southeast has a recommendation from the

Town Engineer with respect to the Reduction of Performance Bond for Palazetti Office/Warehouse Fields Lane, Southeast, NY.

WHEREAS, upon review of such recommendation, the Southeast Town Board agrees to accept this recommendation;

NOW, THEREFORE, BE IT

RESOLVED, that the bond amount for the following project is set forth below:

PROJECT NAME PRESENT AMOUNT RECOMMENDED TO

Palazetti Office/Warehouse \$346,300.00 \$170,000.00

UPON ROLL CALL VOTE:

Supervisor Dunford - Aye Councilman Honeck - Aye
Councilman Bonanno - Absent Councilwoman Mitts - Aye
Councilman Johnson - Absent

VOTE: carried by a vote of 3 in favor, 0 against; 0 abstained.

RESOLUTION # 02/2007 ESTABLISHMENT OF PERFORMANCE BOND/PENNELLA, LLC

Introduced By: Supervisor Dunford
Seconded By: Councilman Honeck

WHEREAS, the Town Board of the Town of Southeast as a recommendation from the Town engineer with respect to the Establishment of Performance Bond for Pennella, LLC, Site Plan, 261 Fields Lane, Southeast, NY;

WHEREAS, upon review of such recommendation, the Southeast Town Board agrees to accept this recommendation;

NOW, THEREFORE, BE IT

RESOLVED, that the bond amount for the following project is set forth below:

PROJECT NAME PRESENT AMOUNT RECOMMENDED TO

Pennella, LLC	\$00.00	Site Improvement -	\$104,465.00
Soil & Erosion -	5,535.00		
Total	\$110,000.00		

UPON ROLL CALL VOTE:

Supervisor Dunford - Aye Councilman Honeck - Aye
Councilman Bonanno - Absent Councilwoman Mitts - Aye
Councilman Johnson - Absent

VOTE: carried by a vote of 3 in favor, 0 against; 0 abstained.

RESOLUTION # 03/2007 ESTABLISHMENT OF PERFORMANCE BOND HIGH
MEADOW FARM SUBDIVISION

Introduced By: Councilwoman Mitts
Seconded By: Councilman Honeck

WHEREAS, the Town Board of the Town of Southeast has a recommendation from the Town engineer with respect to the Establishment of Performance Bond for High Meadow Farm Subdivision, Welfare Road, Southeast, NY;

WHEREAS, upon review of such recommendation, the Southeast Town Board agrees to accept this recommendation;

NOW, THEREFORE, BE IT

RESOLVED, that the bond amount for the following project is set forth below:

PROJECT NAME PRESENT AMOUNT RECOMMENDED TO

High Meadow Farm	\$00.00	Site Improvements	\$144,170.00
Soil Erosion	4,830.00		
Total	\$149,000.00		

UPON ROLL CALL VOTE:

Supervisor Dunford - Aye Councilman Honeck - Aye
Councilman Bonanno - Absent Councilwoman Mitts - Aye
Councilman Johnson - Absent

VOTE: carried by a vote of 3 in favor, 0 against; 0 abstained.

RESOLUTION # 04/2007 ESTABLISHMENT OF PERFORMANCE BOND - JP
INTERNATIONAL SUBDIVISION

Introduced By: Councilman Honeck
Seconded By: Supervisor Dunford

WHEREAS, the Town Board of the Town of Southeast has a recommendation from the Town Engineer with respect to the Establishment of Performance Bond for JP International Subdivision, Old Milltown Road, Southeast, NY;

WHEREAS, upon review of such recommendation, the Southeast Town Board agrees to accept this recommendation;

NOW, THEREFORE, BE IT

RESOLVED, that the bond amount for the following project is set forth below:

PROJECT NAME PRESENT AMOUNT RECOMMENDED TO

JP International \$00.00 Subdivision Site Improvements
\$238,700.00
Soil & Erosion 4,300.00
Total \$243,000.00

UPON ROLL CALL VOTE:

Supervisor Dunford - Aye Councilman Honeck - Aye
Councilman Bonanno - Absent Councilwoman Mitts - Aye
Councilman Johnson - Absent

VOTE: carried by a vote of 3 in favor, 0 against; 0 abstained.

MOTION-APPROVE EEC

Supervisor Dunford made a motion to approve the EEC, ARB recommendation as submitted. Councilman Honeck seconded. All in favor.

MOTION-APPROVAL TO PURCHASE VEHICLE FOR BUILDING DEPT.

Supervisor Dunford made a motion to authorize the Highway Superintendent to purchase a Vehicle for Building Department per budget. Councilwoman Mitts seconded. All in favor.

MOTION-OPEN SPACE COMMITTEE APPOINTMENT

Councilman Honeck made a motion to appoint James DiBella to the Open Space Committee through 12/31/07. Supervisor Dunford seconded. All in favor.

MOTION-APPOINTMENT OF HISTORIC SITES COMMISSION

Supervisor Dunford made a motion to appoint Danielle Cylich, to the Historic Site Commission through 12/31/07. Councilwoman Mitts seconded. All in favor.

Supervisor Dunford made a motion to appoint Kathleen Abels as chairman of the Historic Site Commission until 12/31/2007.

MOTION - APPOINTMENT OF ZONING BOARD MEMBER

Councilwoman Mitts made a motion to appoint Kevin Sheil to the Zoning Board of Appeals, until 12/31/11. Councilman Honeck seconded. All in favor.

RESOLUTION # 05/2007 AUTHORIZING SETTLEMENT OF LITIGATION
BETWEEN BELMNT EAGLES RIDGE vs TOWN OF SOUTHEAST

Introduced By: Supervisor Dunford
Seconded By: Councilwoman Mitts

WHEREAS, an action was commenced against the Town by Belmont Eagles Ridge, LLC ("Belmont"), in the Supreme Court of the State of New York, in and for the County of Putnam, under the County Clerk's Index No. 2408/05, wherein Belmont sought to recover a sum of money held by the Town to secure the faithful completion of a certain residential real estate development; and

WHEREAS, the Town Board is in receipt of a settlement recommendation and proposed Stipulation of Settlement from the Town Attorney with regard to such proceedings.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Southeast does hereby accept the recommendations of its legal advisor and authorizes the Town attorney to execute the stipulation of settlement annexed hereto and made part hereof in accordance with said recommendations; and be it further

RESOLVED, that the Supervisor be and he hereby is authorized to execute and exchange general releases on behalf of the Town in accordance with said stipulation of settlement.

UPON ROLL CALL VOTE:

Supervisor Dunford - Aye Councilman Johnson - Absent
Councilman Bonanno - Absent Councilman Honeck - Aye

Councilwoman Mitts - Aye

VOTE: carried by a vote of 3 in favor, 0 against; 0 abstained.

NEW BUSINESS

Recreation Commission - Councilwoman Mitts spoke of the first meeting which was held on January 24, 2007. They will meet every other Wednesday. A survey will be sent out to residents in February or March .

Immigration Issues - The Supervisor said that another meeting will be set up with the schools. He feels that we should piggyback on the Assemblyman, who is holding community forums on the subject.

Town Clerk's Office - a new email has been set-up to reach the town clerk. The email address is: townclerkmazzei@townofsoutheast-ny.net. The town is in the process of setting up email address for the various offices. The problem is that the website has to be expanded to add the new addresses.

Stipulation of settlement - Town Attorney Stephens discussed the stipulation regarding Eagles Ridge.

Landfill and culvert pipe - The pipe abuts the landfill so the highway has constructed an access road temporarily. This road will be used by the contractor hired by the town to look at the piping.

Sheriff's Contract - The Supervisor is meeting with the Sheriff, but nothing is signed yet.

Contributions - elected officials can receive \$75 per person as a GIFT.

Interoffice Mailboxes - any mail can be placed into town boxes unless it is political material.

Rental Registration - a law was passed in 2005. Some letters have already been sent out by the previous zoning officer. Councilwoman Mitts, Town Attorney Will Stephens and Supervisor Dunford will meet to improve upon the existing process. Councilwoman Mitts has looked at other municipalities and a form will be created with as much information as possible without invading privacy issues.

Organization Meeting - different items were discussed from the first meeting of the year.

Stormwater report - The town has had meeting with North Salem and the report was not discussed at these meetings. . Jim Lawlor is the contact person. The town planner is working on a plan.

EXECUTIVE SESSION

Supervisor Dunford made a motion to enter into executive session for contract negotiations and litigation. . Councilwoman Mitts seconded and all in favor.

Supervisor Dunford made a motion to close the executive session and
Councilwoman
Mitts seconded. All in favor.

Respectfully submitted,

Ruth Argo Mazzei
Southeast Town Clerk

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