

TOWN OF SOUTHEAST
John J. Dunford Civic Center
1360 Route 22, Brewster, New York 10509
May 15, 2008
Regular Meeting - 7:30 PM

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 40 persons

Pledge of Allegiance
Notation of Exits

PUBLIC HEARINGS

PUBLIC HEARING - CONTRACTORS LAW

Supervisor Rights made a motion to open the hearing and Councilman Honeck seconded. Legal notice read. Councilman Johnson said a law was enacted by Suffolk County and it has held up so far to judicial scrutiny. Contractors must be in compliance with the law if doing business with the town. This is a good step forward. The Supervisor said this is a decade of no work. Town Attorney Stephens said this would supersede other laws and this provides teeth and meat to the law. Councilman Honeck said that the town can tweak the law and Councilman Yee said he agrees with the law. Councilman Gross said it is tried and true. Enforcement penalties must conform to the law. When it was asked who enforces the law the attorney said that the Town Board has the right to audit. An agent of the town will check social security numbers, passports, etc. This can be done random or everyone can audit. The contractor will have to allow the town to audit. Councilman Johnson made a motion to keep the meeting open and Councilman Gross seconded. All in favor.

PUBLIC HEARING – MINOR ROAD STOP SIGN

Councilman Johnson made a motion to open the hearing and Councilman Honeck seconded. All in favor. Town Clerk Mazzei read the legal notice. Dave Bancroft said that he turned in a petition previously with 40 signatures against the petition. State Trooper Doug Weiller said that there was no reason to put up the stop sign. He never heard of any accidents there, it is a low speed corner and will create problems for the police. More traffic flows at ease will cause less problems and this will create potential problems. Lawrence Vella said that there is 180 foot sight line difference. A stop sign is not to be used to deter traffic. Joe Gillen of Jacobson & Assoc, out town engineer, said that the site difference does not show need for a stop sign. Brian Parise and another resident said that they feel the road is dangerous and Dave Bancroft said that there are many accidents there. Councilman Honeck read from NYMIR Insurance paper that the stop signs are not to be used to enforce speed. The Supervisor said that there are other techniques to control speed. Ms. Eckardt said it could set a precedent.

Councilman Gross made a motion to close the hearing and Councilman Honeck seconded. All in favor.

ONE GENEVA ROAD

This was not a public hearing – just a presentation of a plan. It is property in a corporate park. Town does not need to act on this.

REGULAR MEETING

Councilman Honeck made a motion to open the regular meeting and Supervisor Rights seconded. All in favor.

#10 – PUTNAM PRECISION

Councilman Johnson made a motion to go to item 10 and Councilman Honeck seconded and all in favor. A representative from P.W. Scot Architect was there to speak for Putnam Precision. Councilman Johnson made a motion and Councilman Honeck seconded to refer the matter to the Architectural Review Board. All in favor except Supervisor Rights and Councilman Yee. Vote carried 3 ayes to 2 nays.

CORRESPONDENCE

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

Correspondence Received

- Harry Nelson NYS Environmental Facilities Corp Re: Brewster Heights WWTP Upgrade
- Southeast Planning Board Re: Golay Subdivision Minor Rd, request release of Performance Bond
- Adams Fences Re: Contract for Zimmer Road Town Park
- Rolf Fein Re: 784-790 route 312 schedules an inspection from Building Inspector
- Southeast Planning Board Re: Release of Bond for Golay Subdivision
- Town of Southeast Re: Request for proposal – Sod delivery and Zimmer Rd Ballfields from Delea Sod Farms
- Shamberg Marwell Davis & Hollis Re: Village of Brewster Utility Easement Agreement
- State Liquor Authority Re: Changes and Improvements
- Watson Laboratories Inc.to Michael Rights Re: Facilities will be closing by Dec.31, 2008
- Office of Supervisor Re: QuES&T Environmental Safety Training Schedule
- QuES&T to Michael Levine Re: laborers, workers and mechanics on public projects must complete an OSHA 10 hour Construction Outreach program
- Town of Southeast Re: Michael Burdick Workers Comp medical claim from NYS Municipal Workers Compensation Alliance
- Town of Southeast Re: Resume for Wendy Weiner for Tax Assessment Board
- Town Board Re: Renewal of Liquor License for Sapporo Japanese Restaurant
- MBIA Asset Management NYCLASS RE: Updated Program Information
- Michael Rights Re: NYS Public Entities Safety Group Insurance Information for Workers Comp Ins
- Supervisor Rights Re: Acknowledge Receipt of check for subscription to The Michaelian Municipal Law Resource Center
- Environmental Conservation Law Re: Permit issued to Pegasus Therapeutic Riding Inc
- Cornell University Cooperative Extension Re: 2008 Putnam County 4-H Fair
- Employment contract between Town of Southeast and Putnam County Re: Services for an Outreach Worker
- Supervisor and Town Board Re: Permit Information from NYSDEC for Blackberry Hill Sanitary SD WWTP
- Supervisor and Town of Southeast Re: DEP approval NYC Watershed - WWTP

Upgrade Program Brewster Heights Sewer District # 1
Town of Southeast from General Code Re: Authorization and Agreement for Base
Revitalization Services
Mr. Michael Right from P.W. Scott Engineering & Architecture P.C. Re: Putnam
Precision Route 6, Brewster
Wastewater Treatment Plant Upgrade Program Re: Blackberry Hills Sanitary Sewer
District Certification And Disbursement Request
NYSDEC Christy Farms Sewage Works Corp Re: DEC Permit Hunters Glen
ENB SEQRA Notice Re: Peach Lake Water Treatment Plant Resolution of The Town of
North Salem Town Board
Acord Certificate of Liability Insurance Re: Durant's LLC
Acord Certificate of Liability Insurance Re: Russell Bleakley Plumbing
Acord Certificate of Liability Insurance Re: The Solar Center Inc.
Acord Certificate of Liability Insurance Re: RM Contracting Service Inc.
Acord Certificate of Liability Insurance Re: Marinelli Brothers Construction Co LLC
Acord Certificate of Liability Insurance Re: Creative Environment Home & Leisure
Center Inc
Certificate of NYS Workers Compensation Ins Coverage Re: Kassis Superior Sign Co.
Inc., 6699 Old Thompson Rd, Syracuse, NY 13211
Certificate of NYS Workers Compensation Ins Coverage Re: Dwyer Fire Protection Co
Certificate of NYS Workers Compensation Ins Coverage Re: Palisades Fuel
Certificate of NYS Workers Compensation Ins Coverage Re: Durant's LLC
Certificate of NYS Workers Compensation Ins Coverage Re: DJ Heating & Air
Conditioning
Certificate of NYS Workers Compensation Ins Coverage Re: D&S Fire Protection Corp,
Certificate of Cancellation of Workers Compensation Ins Re: Vincent J Murphy DBA
Colonialtown Lawn & Garden Care
General Code Re: Received fax of Local Laws 7-07 to 12-07
Town Supervisor, Town Board, Town Clerk Re: Bigger Better Bottle Bill From
Conservation Advisory Committee, Town of Kent
Acord Certificate of Liability Insurance Re: Castlton Environmental Contractors LLC
Town of Southeast from P. W. Scott Engineering & Architecture, P.C. Re: Putnam
Precision
Town of Southeast from Putnam County Mental Health Association Re: May is Mental
Health Month
Town of Southeast from NYS Emergency Management Office Re: Public Assistance
Workshop
Town of Southeast from Michelle Jaegers Re: Resume for employment
Southeast Planning Board Re: Joe's Barber Shop
Southeast Planning Board Re: Fisher Subdivision
Southeast Planning Board Re: Verizon Wireless
Southeast Planning Board Re: Cerlich Re-subdivision Pine Ridge Lot #5
Southeast Planning Board Re: Southeast Memorial Park
Michael Rights Town of Southeast Re: Virtual Town Hall Clients, Opening of New
Business Office
Town of Southeast Planning Board Re: Resolution Declaration of Lead Agency
Town of Southeast Planning Board Re: Resolution 138-54.1B (3) Exemption for Verizon
Wireless
Town of Southeast Zoning Board of Appeals Re: Dunmore Corp Amended Site Plan
Town of Southeast Recreation Dept Re: Monthly Revenue Report
Town of Southeast Planning Board Re: March 24, 2008 Minutes
Stephens Law Firm to Town Clerk Re: Peach Lake Sewer District (Proposed)

MEMOS:

Michael Rights from Ron Hund: Electronic Document Management
Southeast Supervisor and Town Board from Willis Stephens Jr Re: Public Assistance to
Veterans' Organizations
Accounting from Mike Rights Re: New Employment for Special Districts
Accounting Department from Mike Rights Re: Salary of Anthony Fricchione
Accounting Department from Mike Rights Re: Employment of new Facilities person
Accounting Department from Mike Rights Re: Town Board Secretary Stipend

Ruth Mazzei from Mike Rights Re: Approved Minutes
Town Supervisor and Town Board from Michael Levine Re: Springhouse Water District
- Alternatives for Water supply
Ms Kalbfell from Roger Gross, Dick Honeck, and Paul Johnson Re: Secretarial support
to the Town Board
Michael Rights from Paul Johnson Re: Marin Estate

FOILS:

Ved Parkash Re: Request for minutes for the Town Board
Meeting for April 17, 2008
Nick Genovesi Re: Request of checks from Town of Southeast to Putnam
County Press
Theresa Ryan Re: Local Law #4 2007
Richard Goldsand Re: Planning Dept parcel 46-.1-18 site plan
S. Frattarola Re: Copies of Building Permits for 47 Indian Wells, Southeast, NY
Kelles-Williams Re: Building File for 78 Joe's Hill Rd, Brewster, NY
Building Dept Re: Survey of 206 Starr Ridge Rd

Correspondence Sent

1. Michael Rights and Town Board to Springhouse Water District Re: Resolve Water Problems
2. Michael Rights to Doug Koberger, Christine Romeo, Philip Salvatore, Timothy Wagner, Gerald Piscopo, Kevin Winship, Christina Edwards, Alison Proft, Joseph McLaughlin, Anthony Eagan, and Charles Lindenfeld Re: Position of Special Districts Manager has been filled
3. Michael Rights to Joseph Charbonneau Re: Town Board vote in the matter of People V Parkash and Anan Estates
4. Michael Rights to Virtual Town Hall Re: Contact personnel for Town Website
5. Michael Rights to Pegasus Re: Congratulations on your horse show
6. Michael Rights to Tri-County Bulldogs Inc Re: Thanks for your introduction and interest in scheduling field time

VOUCHERS

Councilman Honeck made a motion to approve the vouchers list in the amount of \$759,878.44 for the month of May as submitted. Councilman Gross seconded. All in favor.

MEETING DATES

Councilman Johnson made a motion to set the following meeting dates at 1360 Route 22 Brewster, NY 10509 at 7:30 pm., unless otherwise noted. Councilman Gross seconded. All in favor.

May 29, 2008 – Special Meeting 5:00
June 5, 2008 - Work session
June 12, 2008 – Work Session
June 19, 2008 – Regular Meeting
June 25, 2008 – Revitalization Meeting – 7:00 at 67 Main Street

AMERICAN LEGION FUNDING

American Legion Argonne Post #71 Commander Ronald Lipschitz presented to the town a 3' x 5' POW?MIA flag. Brewster VFW Post #672 Commander-Elect Sherblom had to leave. Commander Lipschitz spoke of the casualties of war said "They will never leave

anyone behind” The flag was presented to Councilman Gross on behalf of the Town of Southeast. Councilman Johnson made a motion and Councilman Honeck seconded to award \$500 to the veterans for building maintenance and up to \$1900. for flags for various veterans days. All in favor.

BIKEWAY EASEMENTS

Councilman Honeck made a motion to authorize the Supervisor to sign the Bikeway Easements and Councilman Johnson seconded and all in favor.

TONETTA LAKE TESTING

Councilman Johnson made a motion, seconded by Councilman Honeck to adopt the plan by Blu Dot for the sum of \$12,620. All in favor except Councilman Yee.

CEREBRAL PALSEY MARCH

Councilman Johnson made a motion to allow Cerebral Palsey through Scolpino Park, provided that they fill out a facility use form and provide a certificate of insurance. Councilman Honeck seconded and all in favor.

RECREATION FEE SCHEDULE - the Town Board will review next year

SOUTHEAST RECREATION COMMITTEE

Supervisor Rights made a motion to reconstitute the Southeast Recreation Committee and Councilman Yee seconded. All in favor. Their mission will be aimed at the development of a water park at Wells Pond with an opening to be in 2009. And to discuss any additional sites as they develop. All in favor.

PUTNAM PRECISION

Councilman Johnson made a motion to refer this to the Southeast Architectural Review Board. Councilman Honeck seconded and all in favor.

ACCOUNTING DEPARTMENT – ELECTRONIC DOCUMENTS

Councilman Honeck made a motion to accept the proposal as submitted by System Development Group to scan the vouchers for the Southeast Accounting Department. The monies are to come from contingency. Councilman Gross seconded and all in favor.

CELL PHONE CONSOLIDATION

Councilman Yee made a motion to consolidate all of the cell phone with Verizon and have all under one contract. Supervisor Rights seconded and all in favor except Councilman Johnson who abstained since he is employed by Verizon.

SECURITY

Councilman Johnson made a motion to terminate the security company Proline and engage CIA Security Company as the security company of the Town of Southeast. This motion also provides that the Supervisor is to collect the \$636 from Proline that was prepaid for services at 1360 Route 22. Councilman Honeck seconded.

Upon Roll Call vote:

Councilman Yee – no
Councilman Gross – yes
Councilman Honeck – yes
Councilman Johnson – yes
Supervisor Rights – no

Passed by a vote of 3 ayes, 2 nays and 0 abstained.

LIBRARY BOARD APPOINTMENTS

A letter is needed from the Library Board regarding their appointments.

BOND COUNSEL

Councilman Johnson made a motion to have the Supervisor sign an engagement letter with Hiscock and Barclay regarding the Peach Lake Sewer District with a deadline of May 25th. Councilman Honeck seconded.

Upon Roll Call vote:

Councilman Yee – yes
Councilman Gross – yes
Councilman Honeck – yes
Councilman Johnson – yes
Supervisor Rights – Abstain - Reason: because one of the attorneys was a lawyer in the School Pension Fund.

Passed by a vote of 4 ayes, 0 nays and 1 abstained.

Supervisor Rights made a motion to retain Squires and Sanders as Bond Counsel for the Town of Southeast.

Upon Roll Call vote:

Councilman Yee – yes
Councilman Gross – no
Councilman Honeck – no
Councilman Johnson – no
Supervisor Rights – yes

Defeated by a vote of 2 ayes, 3 nays and 0 abstained.

LEAF PICKUP – People can drop off leaves at the Highway Department at certain areas or they can pay \$2.00 for bags to be left curbside.

SUMMER HOURS

Supervisor Rights made a motion to adjust the summer hours to 4:30 from Monday to Friday instead of the hours set in the union contract which everyone follows. He would like a skeleton crew only at 1360 Route 22. The rest of the facilities can follow the union contract. Councilman Yee seconded.

Upon Roll Call vote:

Councilman Yee – yes

Councilman Gross – no
Councilman Honeck – no
Councilman Johnson – no
Supervisor Rights – yes

Not carried by a vote of 2 ayes, 3 nays and 0 abstained.

NEW BUSINESS

Budget Agenda – Councilman Johnson made a motion to defer until May 29th.
Councilman Honeck seconded and all in favor.

Landfill – Councilman Johnson made a motion to authorize the Supervisor to sign then entry Permit for Landfill. Councilman Honeck seconded and all in favor.

1 GENEVA ROAD

Councilman Johnson made a motion to send back the application to the Planning Board regarding 1 Geneva Road AKA Vanguard. Councilman Gross seconded and all in favor.

Councilman Johnson made a motion to send the application of 1 Geneva Road AKA Vanguard to the Architectural Board for their determination

RADAR GUNS – SPECIAL MEETING FOR May 29th.

Supervisor Rights made a motion to close the meeting at 10:20 p.m. Councilman Gross seconded and all in favor.

Respectfully submitted,

Ruth Argo Mazzei
Southeast Town Clerk