

**TOWN CLERKS MINUTES
REGULAR MEETING
TOWN BOARD
JULY 20, 2006**

Present: Supervisor John J. Dunford
Councilman Paul P. Johnson
Councilman Richard B. Honeck
Councilman Pat Bonanno
Councilwoman Lorraine Mitts

And: Town Clerk Ruth A. Mazzei
Town Counsel Willis H. Stephens. Jr.

REGULAR MEETING

Councilman Johnson made a motion to open the Regular Meeting and Councilman Honeck seconded. All in favor.

Pledge of Allegiance
Notation of Exits
Brief Explanation of Town Board's Decision-Making Process

PUBLIC HEARING – MT. EBO CORPORATE PARK – SPECIAL PERMIT

This is a continuance of a Public Hearing from last month. Terri Hahn from LADA was present to explain the purpose of the hearing. Joe Brezinski from Bilbo was also present. The project will have 168 age-restricted units and a clubhouse. There will be connected to Mt. Ebo Water and Sewer. A letter was handed out from Michael Gardino of L & M design. The project will be fully sprinkled. There will be a clubhouse, library, kitchenette, an exercise room and the medical offices will be for residents only. There will be a full walking course, sidewalks, and gazebo and a conservatory.

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

MINUTES - Councilman Johnson made a motion to approve the following meetings and Councilwoman Mitts seconded. All in favor.

May 25, 2006 Regular Meeting
June 15, 2006 Regular Meeting

CORRESPONDENCE

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

Correspondence Received

1. New York State Environmental Facilities Corporation to the Supervisor Re: Clean Water State Revolving Fund Final Revised Regulations
2. NYS DEC to the supervisor Re: Flood Maps Modernization Program for Putnam County
3. HAHN Engineering to the Supervisor Re: Meeting Minutes – Peach Lake Map, Plan & Report
4. Ann Fanizzi to the Supervisor Re: The Issue of Stormwater and Implementation of MS4s Regulations
5. Guy T. Parisi Re: Liquor License Application/Renewal for O’Connor’s Brewery, Town Center Shopping Plaza Route 22 and 312, Brewster, NY
6. Spain Agency to the Supervisor Re: Worker’s Comp – New (3/88) #: BOUND NY State Municipal Workers
7. John Lord to the Supervisor Re: Conservation Commission
8. NYS Insurance Fund Re: CKM Electrical of Westchester Inc. T/A Shoreline Electric
9. ACORD Certificate of Liability Insurance Re: C&G Window Cleaning & Floor Maintenance, Inc.
10. NYS Insurance Fund Re: Roberts Professional Landscaping
11. Hajdin Rrac Re: Liquor License Application/Renewal for Rraci’s Restaurant 3670 Route 6 (Danbury Road) Brewster, NY
12. Antonio Occhicone Re: Liquor License/Application for 31 Sodom Road (a/k/a/ Old Route 22, Brewster, NY
13. NYS DEC Re: Regulated MS4: Town of southeast SPDES Permit Number: NYR20A320
14. Department of the Army Re: Permit Application Number 2003-00805-YS by NYC DEP
15. NYS EFC Re: NYC Watershed Upgrade Program, Brewster Heights Sewer District #1 – Final Disbursement Request
16. Michael Griffin Re: MS-4 Program / Unfunded Mandate
17. Hogan & Rossi Re: International Boulevard
18. Memorandum to the Supervisor from Ron Harper Re: Various Updates for Week Ending 6/9/06
19. NYS Office of the State Comptroller to the Supervisor Re: Town of Southeast IDA Annual Financial Report
20. Robert W. DuBois to the Supervisor Re: Agency Code PA #03883
21. Richard Santiago Re: Programs and Services for Alcohol Related Incarceration
22. ACORD Certificate of Liability Insurance Re: Double “R” A construction Corp. and Amaxx Cameon Landscaping Inc.
23. Stormwater Advisory Committee to the Supervisor Re: Meeting on Enhanced Stormwater Regulations
24. Quality Fence Co. Re: Estimate for Douglas J. Scolpino Park
25. Paul R. Checco, AIA to the Supervisor Re: The Melrose School Caretaker Cottage Conversion to 3 & 4 Year Old Early Learning Center
26. Siobhan O’Kane, AKRF to the Supervisor Re: Draft Scope for Stateline Retail Center
27. AKRF to the Supervisor Re: Stateline Retail Center Review
28. Richard Feuerman to the Supervisor Re: Amendment to Local Law 138
29. Fiona Hollands, Ethan Berman to the Supervisor Re: Improvement Projects at 76 Dingle Ridge Road
30. Frank’s Automotive to the Supervisor Re: Car Towed on 12/17/05
31. Insite Engineering to the Supervisor Re: Waterview Estates Allview Avenue & NYS Route 22 Tax Map No. 67.-1-48
32. Blue Dot Inc. to the Supervisor Re: 22 Mill Farm Lane, Tax Map #36.-17-1-4
33. Mrs. Joyce M. Goetze to the Supervisor Re: Water Leakage Problem on Allan Road
34. [Michael Hecht to the Supervisor RE: Nichols Road](#)
35. [Ann Marie Repanti to the Supervisor Re: Animal Control Seizure for the Town of Southeast for June and July 2006](#)
36. [New York State Insurance Fund Certificate of Workers’ Comp. Ins. Re: Roberts Professional Landscaping](#)

37. [NYS Comptroller Retirement System to the Supervisor Re: Consultations by Appointment for Consultations](#)
38. [Putnam County Office of Emergency Services Re: FY 06 NIMS / ICS Training and Compliance](#)
39. [Hogan & Rossi to the Supervisor Re: International Boulevard](#)
40. Harry W. Nichols Jr., P.E. Re: High Meadow Farm Subdivision Welfare Road 36.-1-14
41. [P. Daniel Hollis III to the Supervisor Re: Peaceable Hill Water District Additional Water Service – Parcel 56.20-2-80](#)
42. [Hogan & Rossi Re: Project: Proposed Indoor Riding Ring at Pleasant View Farm, North Salem Road](#)
43. [Town of North Salem to the Supervisor Re: North Salem SWMPAR Progress and the Role of Other Planning and Funding Efforts SWMPAR Submittal: NYSDEC MS4 SPDES Registration No.: NYR 20A056](#)
44. [NYS DEC to the Supervisor Re: Revisions of Dam Safety Regulations](#)
45. [NYMIR to the Supervisor Re: Alka Realty, Inc. and Northwood Utilities, Inc. f/k/a Northwood Tree Care, Inc.](#)
46. [Putnam County Sheriff to the Supervisor Re: Crime Statistic Information](#)
47. [HVG International, Inc. to the Supervisor Re: Notice of Public Meeting for Wetlands Permit: Tax Map #36.17-1-4 The Farms Subdivision: Lot 4, 22 Millfarm Lane](#)
48. [Putnam County District Attorney Re: NYS Police Traffic Tickets – Change of Procedure](#)
49. [NYS Real Property Services to the Supervisor Re: Notice of Tentative State Equalization Rate for the 2006 Assessment Roll](#)
50. NYC DEP to the Supervisor Re: Good Neighbor Payment
51. [NYS Department of State to the Supervisor Re: International Code Council \(ICC\)](#)
52. [NYS Department of Health Re: Drinking Water State Revolving Fund Draft Intended Use Plan Funding Period 10/1/06 to 9/30/07](#)
53. [NYS DEC to the Supervisor Re: Impact of New Dental Regulations on Publicly Owned Treatment Works \(POTWs\)](#)
54. [NYS EFC to the Supervisor Re: NYC Watershed – WWTP Upgrade Program Brewster Heights Sewer District #1 Engineer Contract Amendment 7](#)
55. [Putnam County Bureau of Emergency Services to the Supervisor Re: FY 06 NIMS/ICS Training and Compliance](#)
56. [Severn Trent Re: Springhouse WTP monthly sample result.](#)
57. [Severn Trent Re: Brewster Heights Water Treatment Facility.](#)
58. [State of NY Dept. of Agriculture & Markets to the Supervisor Re: Review of the Town of Southeast’s Code & the Administration of the Same, as it Pertains to Pleasant View Farm, Which is Located Within Putnam Co. Agricultural Dist. #1](#)
59. [P.C. Dept. of Planning & Public Transportation to the Supervisor Re: Local Law #9 Fresh Water & Wetlands Protection Referral 06-PC-81](#)
60. [P.C. Office of Sheriff to the Supervisor Re: Traffic Safety Board meeting June 28th, followed by a cookout at which you will be our guest.](#)
61. [State of NY Dept. of State Re: Contract #C009979 request for an extension.](#)
62. [PC Dept. of Finance to the Supervisor Re: Computation of Direct & Underlying Debt.](#)
63. [P. C. Executive Notice to Certain Parties Re: Preliminary Decision for Use of East Of Hudson Fund](#)
64. [Dept. of Civil Service Re: Governmental Accounting Standards Board establish uniform financial reporting standards for Other Post Employment Benefits.](#)
65. [ACCORD Certificate of Liability Insurance Re: North America Meter Co., Inc.](#)
66. [NYSIF Re: Certificate of Worker’s Compensation Ins. Cartwright & Daughters Tent & Party Rentals, Inc.](#)
67. [Fields of Dreams to the Town Board Re: Campaign needs the support of parents & our community to help provide athletic facilities for our children.](#)
68. [Brewster Little League to the Supervisor Re: Fundraiser Summer Parents Night Out, July 15, 2006.](#)
69. [NYS Dept. of Environmental Conservation Re: Town of Southeast Landfill, File #E99016.](#)
70. [Westchester Co. Dept. Of Planning Re: Notice of Preliminary Decision for Use of East of Hudson Water Quality Investment Funds.](#)

71. [P. C. Dept. of Health Re: P. C. Summer 2006 Household Hazardous Waste Cleanup Day Computer/TV/Cell Phone](#)
72. [Jacobson to Planning Board Re: Millennium Commercial \(The Country Store\) U.S. Route 6, Old Route 312 E Old Route 6 \(aka Tilly Foster Rd.\) Preliminary Site Plan Review NLJ #0001-0858](#)
73. [Jacobson to Planning Board Re: Starr Ridge Farm Equestrian Center Starr Ridge Road Revised Performance Bond NLJ #0001-0793](#)
74. [Jacobson to Planning Board Re: Root Ave. Subdivision NLJ #0001-0724](#)
75. [Jacobson to Planning Board Re: Landau Subdivision 299 Joe's Hill Road Continued Preliminary Review NLJ #0001-0836](#)
76. [Jacobson to Planning Board Re: Quinn & Lot Line Adjustment Turk Hill Road Final Plat Review NLJ #0001-0842](#)
77. [Jacobson to Planning Board Re: D'Uva Site Plan NLJ#0001-0861. Please be advised we have no additional information for the project since April 21, 2006 concept plan review letter.](#)
78. [Jacobson to Planning Board Re: Commerce Park Lot #1 Route 6 Amended Site Plan Review NLJ #00010566](#)
79. [Jacobson to Planning Board Re: Catskill OTB Facility 1037 Route 22 Sketch Site Plan NLJ #0001-0871](#)
80. [Jacobson to Planning Board Re: Arborscape 75 Fields Lane Request for release of Performance Bond NLJ#0001-0763](#)
81. [NYMAC to Supervisor: Securities & Exchange Commission Rule 15c2-12 Continuing Disclosure Requirement](#)

82.

NYMAC to Supervisor: Securities & Exchange Commission Rule 15c2-12 Continuing Disclosure Requirement

NYMAC to Supervisor: Securities & Exchange Commission Rule 15c2-12 Continuing Disclosure Requirement

Croton Watershed Clean Water Coalition to Planning Board: Stateline Retail Center Draft Scoping Document

Jacobson to Planning Board Re: Southeast Memorial Park Preliminary Site Plan NLJ#0001-0399

Jacobson to Planning Board Re: Prospect Hill Estates 11 Preliminary Review NLJ #0001-0583

Jacobson to Planning Board Re: Quinn Subdivision Turk Hill Rd. Bond Estimate NLJ#0001-0842

Jacobson to Planning Board Re: Brewster Commercial Complex Amended Site Plan #NLJ#001-0840

Jacobson to Planning Board Re: Augusta Subdivision Preliminary Review NLJ#001-0853

Ellis Law to Town of Brewster Re: Jeffrey A. Gardner Client, File #206131 Date of Accident: May 6, 2006 Location of Accident: 90 Independent Way, Brewster, N.Y. Property Owner: Emgee Highlands Corporation.

Michael Levine to the Town Board Re: Review of Bid Documents for Refuse District Justice Court to Supervisor's Office Re: 2005 DWI Monies

Vincent Catalanotto to Supervisor: Lot #46.69-1-51 has water drain running through it. Would appreciate it very much if this were removed

Ron Harper to Supervisor: Rental Registration Law

Malcolm Pirnie Re: Brewster Heights WWTP Operations & Maintenance Budget

Stephens & Charbonneau to Supervisor Re: People Vs. Leo J. Lachowicz

83. [Petition Fox Ridge Motor Inn Inc., Against The Town of Southeast its Assessor & Board of Assessment Review](#)

84. [Petition Getty Petroleum, Inc., Against The Board of Assessors and/or the Assessor of the Town of Southeast and the Board of Assessment Review](#)

85. [Petition Linens "N" Things, Against The Assessor and the Board of Assessment Review of the Town of Southeast, and the Town of Southeast, County of Putnam, New York](#)

86. Medical Systems to Recreation Dept Re: Quote Contract for Defibrillator Equipment etc

87. Putnam County Real Property Tax Service Re: Contract

88. Anthony J. Pieragostini to Town Attorney Re: Subdivision – Nelson Boulevard
Town of Southeast Brewster, N. Y. 10509 TM67.0-1-33.2 Fisher Subdivision 280a
Referral Resolution Voted on: June 15, 2006
89. New York Dept of Health Re: Blackberry Hill Pool, Swimming Pool Inspection
Report as of 07/10/2006
90. Foils: Town Board : Ann Fanizzi , Residents & other interested parties Re: Zoning
Code change limiting to 25,000 sq ft. commercial (retail) dev. on Rt. 6
91. Foil: Planning Board: Ann Fanizzi, Stateline Retail –Scoping & all the Documents
from town gov't and/or DEP, DOH. DOT etc.
92. Foil: Town Board, Zoning Board of Appeals: Ann Fanizzi, Application for Ved
Parkash for zoning variance re: property on Old Mine Rd.
93. Foil: Town Clerk: Robert Panlullo , Copy of Land Survey for 126 Dingle Ridge
Road, Brewster. It is needed for an Insurance investigation matter.
94. Foil: Town Clerk: Cathy Croft, List of Correspondence rec'd & sent in April.
95. Minutes of Regular Town Board Meeting May 25, 2006. Receive in electronic
Form.
96. Foil: Planning Dept: Cathy Croft, Tim Miller Associates Public Scoping Document
on Stateline Retail Center
97. Foil: Town Clerk: Cathy Croft, Southeast Town Bd. Regular Meeting Minutes
(including) list of Correspondence rec'd & sent for June 15, 2006
98. Foil: Accounting Dept: Peter Domino, Blackberry Park District Finances for 2005
& 2006
99. Foil: Building Dept: Diane Guerre Permits, C/O's, tank records & all historical
Records on file for: 979-987 Rte. 22, Brewster, N. Y. 68.5-2-2
100. Foil: Planning Dept: Joe Schaub Stateline Retail Draft Scoping Document by T.
Miller., Mr. Rohrman said these are available today.
101. Foil: Tax Dept.: Genna Wright Tax Figures for Brewster Highlands
102. Foil: Assessors Office: Prudential Serls Assessors Office letter regarding Tax
Map #36.17-1-19
103. Foil: Building Dept: Prudential Serls, All papers in building Dept. file on 9 Old
Doansburg Rd. Tax Map #36.17-1-19
104. Foil: Town Clerk: Fred Lucas News Times, all records & documents provided to
the FBI since January 2004
105. Foil: Town Clerk: Special Permit Application and Report for Mt. Ebo North
Senior Housing
106. Ruth Mazzei from NYMIR Re: Air-Condition grate fall File #TSOUT

Correspondence Sent

1. Robert H. Sammons, P.E. Re: Report # 74 for the Brewster Heights Wastewater
Treatment Plant Upgrade and Report # 69 for the Blackberry Hill Sewer District
2. Treatment Facility
3. Town Board Town of Southeast from Ron Harper Re: 31 Paddock Lane
4. Mark A. Haupt Re: Closing of the Reservoir Road Bridge on 6/26/06
5. Michael Liguori, Esq. Re: Ace Endico, Tax Map #45.-1-29; 80 International
Boulevard
6. [Wastewater Treatment Plant Upgrade and Report #70 for the Blackberry Hill Sewer
District Facility](#)
7. [Memo from the Highway Department to the Supervisor Re: 2006 Budget Machinery
Repair Expenditures](#)
8. Town Board etc. from Conservation Commission Letter of Determination Re: 76
Dingle Ridge Road, Tax ID: 69.-1-17. Town of Southeast, Putnam Co. N. Y.
9. Town Board etc. from Conservation Commission Letter of Determination Re: J. P.
International Subdivision, Milltown Road, Tax ID:57.-2-6. Town of Southeast,
Putnam County, New York
10. Judson Siebert, Esq. from Town Attorney Re: Dairy Conveyor Corp. v. Assessor
Supreme Court, Putnam County, Index Nos. 01-1054/02-1128/03-1165/04-1168/-
051369
11. Double "R" A Construction Co. from Michael Levine Re: Replacement of Roof on
Gazebo as Electrazone Field
12. Michael Meyer, from Supervisor Re: Accounting for the Good Neighbor Account

- 13. Richard Dillman, NYS Dept of Transportation from Supervisor Re: Petition from Southeast residents requesting speed reduction on Route 121
- 14. Planning Board, Building Dept., Code Enforcement Officer, from Supervisor Re: Jonke Wetlands Permit
- 15. Planning Board, Building Dept., Code Enforcement Officer, from Supervisor Re: Pennella, LLC
- 16. Planning Board, Highway Superintendent from Supervisor Re: John Simpson Road
- 17. Assessor, Tax Receiver from Supervisor Re: Dairy Conveyor

VOUCHER LIST

Councilman Honeck made a motion to approve the voucher list in the amount of \$1,039,004.07. Councilman Bonanno seconded. All in favor.

BUDGET TRANSFERS

Councilman Bonanno made a motion for the approval of Budget Transfers. Councilman Johnson seconded. All in favor.

SETTING MEETING DATES

Supervisor Dunford made a motion to set the following meeting dates. Councilman Honeck seconded. All in favor.

August 3, 2006	7:30PM Civic Center	Work Session
August 10, 2006	7:30PM Civic Center	Work Session
August 17, 2006	7:30PM Civic Center	Regular Meeting

SETTING PUBLIC HEARINGS:

August 17, 2006	7:30PM 7:31PM	Reduction of Performance Bond – Arborscape Road Name Change-Fields Corner Road To Pugsley Road
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RESOLUTION # 32 /2006 WETLANDS PERMIT PENNELLA, LLC

Introduced By: Councilman Johnson
Seconded By: Councilwoman Mitts

WHEREAS, the Conservation Commission of the Town of Southeast rendered a decision dated May 30, 2006 with the application of Pennella, LLC 261 Fields Lane, Tax ID 78.-2-93 to (a) construction of a stormwater detention basin within a wetlands controlled area: and (b) minor grading within a wetland controlled area for construction of a 6,000 square-foot warehouse/office space. The property is located at 261 Fields Lane, Tax ID 78.-2-93, in the Town of Southeast, Putnam County, New York

WHEREAS, the Town Board finds that there is no reason to upset the determination of the Conservation Commission in connection with said application,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Southeast hereby declines to exercise its power to overturn the May 30, 2006 determination of the Conservation Commission regarding the application from Pennella, LLC. For a wetlands permit for property located at 261 Fields Lane, Town of Southeast, Putnam County, subject to the terms and conditions imposed by the Town of Southeast Conservation Commission.

UPON ROLL CALL VOTE:

Supervisor Dunford – Aye
Councilman Johnson – Aye
Councilman Honeck – Aye
Councilman Bonanno – Aye
Councilwoman Mitts – Aye

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

INTERNATIONAL BOULEVARD ROAD DEDICATION

Supervisor Dunford made a motion to authorize to send request for International Boulevard Road Dedication to the Planning Board for Review. Councilman Johnson seconded. All in favor.

RESOLUTION # 33 /2006 WETLANDS PERMIT-HIGH MEADOW FARM SUBDIVISION

Introduced By: Councilwoman Mitts
Seconded By: Supervisor Dunford

WHEREAS, the Conservation Commission of the Town of Southeast rendered a decision dated July 6, 2006 with the application from High Meadow Farm Subdivision, to (a) Construction of a single shared driveway to serve three (3) new single-family residential building lots. Construction of the driveway will result in approximately 5,000 square feet of wetland disturbance plus additional disturbance within the wetland controlled area. The property is located on Welfare Road, Tax ID 36.-1-14 in the Town of Southeast, Putnam County, New York.

WHEREAS, the Town Board finds that there is no reason to upset the determination of the Conservation Commission in connection with said application,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Southeast hereby declines to exercise its power to overturn the May 30, 2006 determination of the Conservation Commission regarding the application for High Meadow Farm Subdivision, for a wetlands permit for property located in the Town of Southeast, Putnam County, subject to the terms and conditions imposed by the Town of Southeast Conservation Commission.

UPON ROLL CALL VOTE:

Supervisor Dunford – Aye
Councilman Johnson – Aye
Councilman Honeck – Aye
Councilman Bonanno – Aye
Councilwoman Mitts – Aye

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

GARBAGE CONTRACT

Councilman Honeck made a motion authorizing the Special District Administrator to bid out the Garbage Contract. Councilman Bonanno seconded. All in favor.

RESOLUTION #34 /2006 WETLANDS PERMIT - 76 DINGLE RIDGE ROAD

Introduced By: Councilman Honeck
Seconded By: Councilman Johnson

WHEREAS, the Conservation Commission of the Town of Southeast rendered a decision dated July 6, 2006 with the application for 76 Dingle Ridge Road, to (a) Restoration of approximately 480 feet of existing stream by removal of sand, gravel, and silt from stream bed: removal of invasive species and replanting with native species; and reconstruction of stone wall embankments: (b) Rebuilding of existing dairy barn within 100 feet of the stream, (c) Replacement of a dilapidated foaling barn with an open pavilion on the same footprint within 15 feet of the stream and (d) Construction of a deer fence surrounding the property and within the wetland controlled area. The property is located at 76 Dingle Ridge Road, Tax ID 69.-1-17 in the Town of Southeast, Putnam County, New York.

WHEREAS, the Town Board finds that there is no reason to upset the determination of the Conservation Commission in connection with said application,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Southeast hereby declines to exercise its power to overturn the June 27, 2006 determination of the Conservation Commission regarding the application for 76 Dingle Ridge Road, for a wetlands permit for property located in the Town of Southeast, Putnam County, subject to the terms and conditions imposed by the Town of Southeast Conservation Commission.

UPON ROLL CALL VOTE

Supervisor Dunford – Aye
Councilman Johnson – Aye
Councilman Honeck – Aye

Councilman Bonanno – Aye
Councilwoman Mitts – Aye

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

CONSERVATION EASEMENT

Councilman Johnson made a motion authorizing Supervisor to sign Conservation Easement for Triple J Development Corporation. Councilman Honeck seconded. All in favor.

RESOLUTION # 35 /2006 WETLANDS PERMIT-JP INTERNATIONAL

Introduced By: Councilman Johnson
Seconded By: Supervisor Dunford

WHEREAS, the Conservation Commission of the Town of Southeast rendered a decision dated July 6, 2006 with the application from JP International Subdivision, to (a) Construction of a private roadway and stormwater drainage features to serve three (3) new single-family residential building lots. Construction of the driveway will result in approximately one (1) acre of disturbance within the wetland controlled area. The property is located on Milltown Road, Tax ID 57.-2.6 in the Town of Southeast, Putnam County, New York.

WHEREAS, the Town Board finds that there is no reason to upset the determination of the Conservation Commission in connection with said application.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Southeast hereby declines to Exercise its power to overturn the May 30, 2006 determination of the Conservation Commission regarding the application for JP International Subdivision for a wetlands permit for property located in the Town of Southeast, Putnam County, subject to the terms and conditions imposed by the Town of Southeast Conservation Commission.

UPON ROLL CALL VOTE:

Supervisor Dunford – Aye
Councilman Johnson – Aye
Councilman Honeck – Aye

Councilman Bonanno – Aye
Councilwoman Mitts – Aye

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

RESOLUTION # 36 /2006WETLANDS PERMIT - SALMON’S DAILY BROOK ESTATES - LOT 49, ROSS ALAN, INC.

Introduced By: Councilman Bonanno
Seconded By: Councilwoman Mitts

WHEREAS, the Conservation Commission of the Town of Southeast rendered a decision dated May 30, 2006 in connection with an application from Ross Alan, Inc. to (a) construct a residence; (b) install a sub-sub-surface sewage disposal system (fields and galleys) and (c) construct a paved private driveway all within the wetland and/or wetland buffer or controlled area. The property is located on Lot 49 of Salmon’s Daily Brook Estates, Tax Map No. 47.-2-14 in the Town of Southeast, Putnam County, New York; and

WHEREAS, the Town Board has reviewed the proceedings, findings and recommendations of the Conservation Commission in connection with said application.

NOW, THEREFORE, BE IT

RESOLVED, upon review of the maps, plans, drawings and submissions, together with the transcripts of meetings of the Southeast Wetlands Commission, as well as the presentations and statements made by or on behalf of the applicant at work sessions of this Town Board, the Town Board makes the following findings:

1. That the entire proposed project, including a proposed residential structure, sub-surface sewage disposal system (“SSDS”) and impervious driveway surfaces are to be located in the area of mapped wetlands and/or in areas which are demarked as wetland buffer zones or control areas;
2. That, based upon the representations of the applicant, the Putnam County Department of Health has or will require the movement, enlargement and/or relocation of the proposed SSDS , so that the location as presented to the Conservation Commission has changed since the determination of the Conservation Commission and, therefore, makes the previous recommendation of the Commission stale;
3. That the Town Board knows of no precedent for permitting an entire project to encroach within duly established wetlands and/or wetland control areas or buffer zones;and
4. That the applicant made no attempt to mitigate any encroachment into the wetland and wetland control or buffer areas.

RESOLVED, based upon the foregoing findings of fact, the Town Board of the Town of Southeast hereby excises its power to overturn the May 30, 2006 determination of the Conservation Commission regarding the application of Ross Alan, Inc.; for a wetlands permit for property located at Salmon’s Daily Brook, Tax Map No. 47.-2-14, Town of Southeast, and the application is hereby **DENIED**.

UPON ROLL CALL VOTE:

Supervisor Dunford – Aye
Councilman Johnson – Aye
Councilman Honeck – Aye

Councilman Bonanno – Aye
Councilwoman Mitts – Aye

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

RESOLUTION # 37 /2006 ADOPTION OF AMENDMENTS TO WETLANDS LOCAL LAW

Introduced By: Councilman Honeck
Seconded By: Supervisor Dunford

WHEREAS, a resolution having been adopted by the Town Board of the Town of Southeast for a public hearing to be held by said Town Board to hear all interested parties on a proposed local law to amend the Southeast Town Code to amend Chapter 78 of the Code of the Town of Southeast entitled “Fresh Water and Wetlands Protection”; and

WHEREAS, notice of said public hearing was advertised in an official newspaper of the Town of Southeast in the manner prescribed by law and such public hearing was held on May 25, 2006; and

WHEREAS, the Town Board, after fully considering the potential impacts the adoption of this local law might have on the environment, adopted a Negative Declaration of Environmental Significance on June 15, 2006; and

WHEREAS, it is the sense of this Town Board that the proposed local law will better implement and administer the Town’s commitment to the protection of wetlands, streams and watercourses and promote the health, safety and general welfare of the public.

NOE, THEREFORE, BE IT RESOLVED, that the Town board of the Town of Southeast hereby adopts Local Law No. 7 of 2006 pursuant to the Municipal Home Rule Law amending Chapter 78 of the Southeast Town Code, a copy of which is annexed and made a part of this resolution, and be it further

RESOLVED, that the Town Clerk be and hereby is authorized and directed to enter said Local Law in the minutes of this meeting and in the Code Book of the Town of Southeast, and to give due notice of the adoption of said local law to the Secretary of State of New York within the time required by law.

UPON ROLL CALL VOTE

Supervisor Dunford – Aye
Councilman Bonanno – Aye
Councilwoman Mitts – Aye

Councilman Johnson – Aye
Councilman Honeck – Aye

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

RESOLUTION # 38 /2006 ADOPTING LOCAL LAW REPEALING CHAPTER 10-“CONSERVATION COMMISSION”

Introduced By: Councilwoman Mitts
Seconded By: Councilman Bonanno

WHEREAS, a resolution having been adopted by the Town Board of the Town of Southeast for a public hearing to be held by said Town Board to hear all interested parties on a proposed local law to amend the Southeast Town Code to repeal Chapter 10 thereof entitled “Conservation Commission”, and

WHEREAS, notice of said public hearing was advertised in an official newspaper of the Town of Southeast in the manner prescribed by law and such public hearing was held on May 25, 2006; and

WHEREAS, the Town Board, after fully considering the potential impacts the adoption of this local law might have on the environment, adopted a Negative Declaration of Environmental Significance on June 15, 2006; and

WHEREAS, it is the sense of this Town Board that the repeal of Chapter 10 of the Town Code will serve to implement the Town’s amendments to Chapter 78 entitled “Fresh Water and Wetlands Protection” enacted under Local Law No. 7 of 2006 in furtherance of the Town’s interest to protect wetlands, streams and watercourses and to promote the health, safety and general welfare of the public.

NOW, THERREFORE, BE IT RESOLVED, that the Town Board of the Town of Southeast hereby adopts Local Law No. 8 of 2006 pursuant to the Municipal Home Rule Law repealing Chapter 10 of the Southeast Town Code, a copy of which is annexed hereto and made a part of this resolution, and be it further

RESOLVED, that the Town Clerk be and hereby is authorized and directed to enter said Local Law in the minutes of this meeting and in the Code Book of the Town of Southeast, and to give due notice of the adoption of said local law to the Secretary of State of New York within the time required by law.

UPON ROLL CALL VOTE:

Supervisor Dunford – Aye
Councilman Johnson – Aye
Councilman Honeck – Aye
Councilman Bonanno – Aye
Councilwoman Mitts – Aye

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

NEW BUSINESS

Fireman’s Parade – July 27th, Carnival July 27-30th.

Peach Lake Sewer – the rumor that there will be a sewer plant on Cobb Road is absolutely wrong and Supervisor Globerman apologized. There is preliminary permission that the state DOT will allow an entrance off of Route 121; a service road. The Plan, Map and Report is finalized. The two Town Boards must raise the monies needed, then the State Comptroller must approve the plan. The per unit cost is subject to the amount raised by the grant monies. Stormwater Studies were done all around Peach Lake. This will be ready by March 2007. There is no intermunicipal Agreement. Once the information is available, then the board will meet with residents. There was a meeting between the Supervisor and Jim Hahn and Dave Bruen, where responsibility was talked about,

Lake Tonetta - to use the beach the Southeast resident must show an ID and proof of residency. The Guatemalan Consulate issues cards that that is not considered proof of Southeast residency.

Middlebranch Lane – there was a mistake on the map where the road was incorrectly changed from residential to commercial. The map update will be done as a Local Law.

Designated Sheriff patrol – the checks go to the Commissioner of Finance.

Landfill – the DEC spoke to Mr. Levine and it will be reviewed by the end of August and then they will send comments back.

Wetlands Consultant will be hired somewhere between 30-45 days.

Commercial Building will have a 25,000 square foot limit, it will be complete possibly by August.

High Meadow Farm – Conservation Commission voted 3-3. The Town Planner is advising the board. The final determination says the vote was 3-3.

Easements for conservation – no activity by landowners will occur in that area. Nothing adverse can be done to the area.

Starr Ridge Residents may not have a choice regarding the sewers. The fee may be based on the size of the house or the number of bedrooms. Some feel it should be based on the water usage.

Low pressure sewer system – each house will need a grinder pump. Another option is a vacuum sewer system. This may be less expensive than a gravity system,

Councilman Johnson made a motion to close the meeting and Supervisor Dunford seconded. All in favor.

Respectfully submitted,

Ruth Argo Mazzei
Southeast Town Clerk

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