

***TOWN CLERKS MINUTES
REGULAR MEETING
TOWN BOARD
SEPTEMBER 14, 2006***

Present: Supervisor Dunford
Councilman Johnson
Councilman Honeck
Councilman Bonanno
Councilwoman Mitts

Also: Town Clerk Ruth A. Mazzei

Absent: Town Counsel Willis H. Stephens

REGULAR MEETING

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

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

PUBLIC HEARINGS

PUBLIC HEARING – PENNELLA LLC – SPECIAL PERMIT

Councilwoman Mitts made a motion to open the hearing and Councilman Honeck seconded. All in favor. This is property located on Fields Lane. There are changes to the building and parking. The first proposal of 90/10 was denied. They had to add 2 more office spaces which are not in the buffer. There is more office space so the ratio is now 80/20. The exterior of the building is the same. A statement was read from Ann Fanizzi which is attached at the end of the minutes. Councilwoman Mitts made a motion to close the public hearing and Councilman Bonanno seconded. All in favor.

REVIEW OF MINUTES

Councilwoman Mitts made a motion to approve the following minutes and Supervisor Dunford seconded. All in favor.

August 3, 2006 Special Meeting
Augusts 17, 2006 Regular Meeting
August 31, 2006 Special Meeting

CORRESPONDENCE

Correspondence Received

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

1. Charles J. Acker to the Supervisor Re: \$2.5 Million Southeast IDA Bond Issue (Federally Taxable) (2nd application) Public Hearing Pursuant to GML Section 859A
2. Theresa Panetta to the Supervisor Re: Peaceable Hill Water District
3. Capriccio Restaurant Re: Liquor License Application/Renewal
4. Victor G. Grossman Re: Location of Political Signs
5. Town of Patterson Re: Brochure on Phosphorous
6. Severn Trent to the Supervisor Re: Mountain Brook Water Treatment Facility and Hillcrest Water Treatment Facility
7. Putnam County Executive to the Supervisor Re: Notice of Preliminary Decision for Use of East of Hudson Fund
8. Putnam County Youth Bureau to the Supervisor Re: State Eligibility for Recreation and Youth Services
9. Comcast to the Supervisor Re: Franchise Fee – April 1, 2006 – June 30, 2006 Town of Southeast
10. Andrew Rojas to the Supervisor Re: Eagle Scout Project at Putnam County Park
11. Bradley D. Schwartz Re: Taxes or Fees for Proposed Peach Lake Sewer District and Vacuum Sewers for Proposed Peach Lake Sewer District
12. Marie DePalo, NYMAC to the Supervisor Re: Town of Southeast Continuing Disclosure Requirement
13. Claude Ronzitti to the Supervisor Re: Speed Humps on Roadway of Blackberry Drive
14. Theresa Ryan Re: “Work Experience”
15. Donald M. Rossi to the Supervisor Re: Putnam County Industrial Development Agency; Williams Acquisition, LLC Project, Mount Ebo Corporate Park; Industrial Development Revenue Bond Issue (the “Project”)
16. Jacobson Re: Eagles Ridge Condominiums, Site Improvements – Request for Bond Reduction and Amended Site Plan, Old Milltown Road 3-Lot Subdivision J.P. International Development Corp. Continued Engineering Review, High Meadow Farm Preliminary Subdivision Review, Baker Farm Subdivision Continued Preliminary Plat Review, Sprint Wireless Telecommunications Facility – Site Plan Review, Pannella, LLC – Continued Preliminary Review, The Melrose School Early Learning Center – Sketch Review, Pegasus Therapeutic Riding Inc. – Preliminary Review, Moriarty Tree Service – Site Sketch Plan Review, Catskill OTB Facility – Revised Sketch Site Plan, Landau Subdivision Joe’s Hill Road – Bond Estimate and Final Subdivision Review,
17. Emmett Pepper to the Supervisor Re: Community Preservation Fund (CPF)
18. Memo to the Supervisor from Ron Harper Re: Day Care Center
19. Memo to the Supervisor from Ron Harper Re: Various Updates for 7/31/06 thru 8/11/06
20. Pietsch Gardens Cooperative, Inc. Re: Peach Lake Sewer District
21. Mary F. Conklin Re: Location of Political Signs
22. Sterling Re: Town of Southeast Landfill 3rd Quarter 2006 Monitoring Event Notification Sterling file #E99016
23. Comcast to the Supervisor Re: Notification of Change of Address
24. Kevin Wright Re: Location of Political Signs
25. Comcast to the Supervisor Re: Comcast Brand Change
26. Acord Certificate of Liability Insurance Re: Brois Construction Corp.
27. Mike DePaoli to the Supervisor Re: Property on North Salem Road
28. Hahn Re: SEQR Proposal Map, and Plan Report Proposed Peach Lake Sewer District - Town of Southeast
29. Donald B. Smith to the Supervisor Re: Crime Statistic Information for the Town of Southeast Including the Village
30. Paul Aversano Re: Liquor License Renewal at Aversano’s Restaurant-Pizzeria, 1620 Route 22

31. Jennifer Chadwick to the Supervisor Re: ASCAP Licensing
32. Donald B. Smith to the Supervisor Re: Vandalism - Townsend Lane and Windswept Circle
33. John Degnan Re: Brewster Honda
34. Acord Certificate of Liability Insurance Re: Ideal Fire Systems, Inc.
35. K.C. Anderson Re: 15th Annual Founder's Day Community Street Fair
36. NYS Certificate of Workers' Compensation Insurance Coverage Re: Ideal Fire Systems, Inc.
37. NYS Department of State Re: Shared Municipal Services Incentive (SMSI) Awards Program
38. NYS DEC Re: Water Quality Improvement Projects
39. Matt Wallach Re: Citizens Campaign for the Environment (CCE) Canvassing Day
40. Southeast Museum Re: Contractual Expenses During the Fiscal Year of 2007
41. Spain Agency Re: Certificate of Occupancy

Foil Requests:

1. Mary A. Bjork Re: Building Permit Applications and Certificates of Insurance for 161 Foggintown Road
2. Marcella Rojas Re: The Sheriff's Contract with the Town of Southeast to Patrol its Facilities
3. Peter J. Domin Re: Documentation for Blackberry Park & Pool
4. Cathy Croft Re: Regular Meeting 7/20/06, Special Meeting 9/29/05, File for Baker Farm
5. Matt Neuringer Re: Legal Documents from the Town Attorney for Garbage Contract in the Past 4 Years, Billable Hours for Willis Stephens to the Town of Southeast and any Recorded Minutes where Stephens and Charbonneau came before the Town Board or Planning Board, Billable Hours from Stephens and Charbonneau in the past 6 Years
6. Joseph Lanni Re: Materials & Documentation for Brewster High School Blueprints, Structural Drawings
7. Lynne Eckardt Re: Wages Paid to Robert Conlin – Job Description and Most Recent Vehicles Purchased by Town – Charged to Which Department
8. Jeanne Ruh Re: Horse Zoning Regulations
9. Maria Disalvo Re: Copies of Agenda Page for Town Board Meetings from January 2005 Thru July 2006
10. Doug Wesley Re: Variance Approval on Vail Shore Road
11. The Chazen Company Re: Conservation Minutes September 2004
12. Sean Pope Re: Survey at 11 Minor Road
13. Christopher Diaz Re: Survey on Tulip Drive
14. ATC Associates Re: ATC Project – NAPA LBS, LLC Commercial Strip Mall 3867 Danbury Road
15. Carol Parker Re: Pegasus Therapeutic Riding Inc. Application to Planning Board For Building Equestrian Facility

Correspondence Sent

1. Mr. John Lynch Re: Updating The Town Code to Reflect Procedural Changes Necessitated by the Abolition of the Town's Conservation Commission
2. Mr. Michael Endico Re: Retail Sales at Ace Endico
3. Mr. David Lleshaj to the Supervisor Re: Single-family Residence
4. Southeast Planning Board Re: Appeal from the Interim Moratorium – Lakeview Associates LLC
5. Mr. & Mrs. Ford, Ms. Sodi Miranda Erestina, Mr. & Mrs. Karl Schwartz, Mr. & Mrs. Christian Palladino Re: Refuse Collection
6. Mrs. M. Tiernan, Mr. D. Cuomo, Mr. M. Langley, Mr. P. Tringali, Mr. G. Hauser, Ms. S. Anthony Re: Conservation Commission
7. NYS EFC Re: Certificate of Disbursement Request #37
8. Mr. & Mrs. Golden, Mr. & Mrs. Rienzi, Mr. & Mrs. Rapaport, Mr. & Mrs. Ficarra, Mr. & Mrs. Kulp, Mr. & Mrs. Marrone Re: Refuse & Collection Special District Invoice

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9. Robert H. Sammons, P.E. Re: Report #77 Brewster Heights Wastewater Treatment Plant Upgrade and Report #72 for the Blackberry Hill Sewer District Treatment Facility
10. Sheriff Donald Smith Re: Townsend lane Vandalism
11. Division of Local Government Re: Contract #C009979
12. Memo from the Supervisor to the Building Dept. Planning Board, Zoning Board and Zoning Enforcement Officer Re: Extension of the Route 22 Moratorium
13. Town Board Work Session from Jim Lawlor Re: Highway Superintendent Comments
14. Memo to the Building Department and Planning Board from the Supervisor Re: Mt. Ebo, Lot 6 Senior Housing Special Permit
15. Memo to the Building Department from the S
16. Supervisor Re: Pleasant View Farm

VOUCHERS

Councilman Honeck made a motion to approve the vouchers in the amount of \$850,341.95. Councilman Johnson seconded. All in favor.

MOTION – BUDGET TRANSFERS

Councilman Johnson made a motion to approve the Budget Transfers (see attached) . Councilman Honeck seconded. All in favor.

MEETING DATES

Councilman Bonanno made a motion to set meeting dates. Councilwoman Mitts seconded. All in favor.

October 5, 2006	7:30PM Civic Center	Special Meeting/ Work Session
October 12, 2006	7:30PM Civic Center	Work Session
October 19, 2006	7:30PM Civic Center	Regular Meeting

PUBLIC HEARINGS

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

October 5, 2006	Civic Center
7:30PM	Local Law to Amend Chapter 110-Scenic Roads
7:31PM	Local Law to Amend Chapter 123-Subdivision
7:32PM	Local Law to Amend Chapter 138-Zoning
October 19, 2006	Civic Center
7:30PM	Reduction of Performance Bond-Ace Endico
7:31PM	Reduction of Performance Bond-Eagles Ridge Condominium

RESOLUTION #43 /2006 RENAMING “FIELDS CORNER ROAD” AS “PUGSLEY ROAD”

Introduced By: Councilwoman Mitts
Seconded By: Councilman Honeck

September 14, 2006

WHEREAS, a portion of a road running generally northerly from Barrett Road to the common border with the Town of Patterson is currently known and designated as Fields Corner Road; and

WHEREAS, said road has been used and utilized as and appears to be an extension of the road which runs from and on the northerly side of NYS Rt. 312 known as "Pugsley Road"

WHEREAS, the Town Board of the Town of Southeast is charged with the authority to approve names of roads, streets, highways, courts, lanes, public and private ways consistent with appropriate protocols for the naming of streets established in connection with the system of enhanced emergency response employed in Putnam County and the Town of Southeast; and

WHEREAS, it is the feeling of the Town's Fire Inspector and other consultants that the name "Fields Corner Road" has or may be so similar to another named road within the Town as to present confusion in locating same in the event of a required emergency response; and

WHEREAS, the similarity of names of streets is sufficient cause to rename one or more of such streets so as to avoid confusion: and

WHEREAS, the renaming of Fields Corner Road has been discussed with the Town of Southeast Fire Inspector and the Historic Sites Commission; and

WHEREAS, it is found and determined to be in the best interest of the people of the Town of Southeast to rename "Fields Corner Road" all in an effort to further and protect the health, safety and general welfare of the citizens of this Town.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Road running generally from Barrett Road to the common border with the Town of Patterson be and hereby is changed from "Fields Corner Road" to Pugsley Road" and be it further

RESOLVED, that the Town Clerk shall cause the official map of the Town of Southeast to be amended to reflect this change in name for "Fields Corner Road" to "Pugsley Road" and that the Highway Superintendent shall install an appropriate sign or signs designating said road as "Pugsley Road".

UPON ROLL CALL VOTE:

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

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

RESOLUTION #44 /2006 RELEASE OF PERFORMANCE BOND-ARBORSCAPE

Introduced By: Councilman Johnson

Seconded By: Councilman Honeck

WHEREAS, the Town Board of the Town of Southeast has a recommendation from the Town Engineer with respect to the Release of Performance Bond for Arborscape, 73 Fields Lane, Southeast, NY;

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

NOW, THEREFORE, BE IT

September 14, 2006

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

<u>PROJECT NAME</u>	<u>PRESENT AMOUNT</u>	<u>RECOMMENDED TO</u>
ARBORSCAPE	\$97,400.00	\$00.00

UPON ROLL CALL VOTE:

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

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

RESOLUTION #45 /2006 AUTHORIZING ROAD NAME-WATERVIEW ESTATES

Introduced By: Councilman Honeck
Seconded By: Councilman Bonanno

WHEREAS, the Town Board of the Town of Southeast is in receipt of a proposed plat for a residential development known generally as WATERVIEW ESTATES which shows street improvements thereon; and

WHEREAS, the Town Board of the Town of Southeast is charged with the authority to approve names of roads, streets, highways, courts, lanes, public and private was consistent with appropriate protocols for the naming of streets established in connection with the system of enhanced emergency response employed in Putnam County and the Town of Southeast; and

WHEREAS, the naming of such street has been discussed with the Town of Southeast Fire inspector and the Historic Sites Commission; and

WHEREAS, it is found and determined to be in the best interest of the people of the Town of Southeast to adopt the following road name in connection with the development known as “Waterview Estates”, all in an effort to further protect the health, safety and general welfare of the citizens of this Town.

NOW, THEREFORE, BE IT

RESOLVED, that the plat of Waterview Estates (Tax Map 67.-1-48) shall be inscribed with the following road or street name:

Running from the westerly side of Allview Avenue: **Waterview Lane**

RESOLVED, that in connection with the road construction contemplated as part of this development, the developer is hereby directed to acquire and install the necessary and appropriate street signs in accordance with applicable regulations and approved by the Town Highway Superintendent identifying the aforesaid road name.

UPON ROLL CALL VOTE:

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

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

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RESOLUTION #46 /2006 ESTABLISHMENT OF PERFORMANCE BOND-LANDAU SUBDIVISION

Introduced By: Supervisor Dunford
Seconded By: Councilwoman Mitts

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 the Landau Subdivision, Joe’s Hill 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:

<u>PROJECT NAME</u>	<u>PRESENT AMOUNT</u>	<u>RECOMMENDED TO</u>
LANDAU Subdivision	\$00.00	\$35,400.00

UPON ROLL CALL VOTE:

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

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

MOTION-ADOPTING NEGATIVE DECLARATION

Supervisor Dunford made a motion adopting Negative Declaration-Amendments to Chapter 110, “Scenic Roads, Chapter 123, “Subdivision”, and Chapter 138, “Zoning” for the purpose of SEQRA. Councilman Johnson seconded. All in favor.

MOTION-AUTHORIZING TO INSTALL SPEED HUMPS

Councilman Johnson made a motion authorizing Highway Superintendent to install speed humps on the West side of Blackberry Drive. Councilwoman Mitts seconded. All in favor.

RESOLUTION # 47 /2006 AUTHORIZING SUBMISSION OF INDIVIDUAL PROGRAM APPLICATION – RECREATION

Introduced By: Councilman Honeck
Seconded By: Councilman Bonanno

WHEREAS, the Town of Southeast state eligibility for New York State Office of Children and Family Services (OCFS) funds for the Recreation Program is \$5,131.00 for the calendar year 2007 and,

WHEREAS, an application for such funds has been forwarded to the Director of the Town of Southeast Recreation Department and must be signed and returned to the Putnam County Youth Bureau on or before December 31, 2006 and,

WHEREAS, OCFS requires that each municipality applying for such funding must pass a municipal resolution authorizing the submission of such program application by December 31, 2006;

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NOW, THEREFORE BE IT RESOLVED that the Town Supervisor is hereby authorized to execute and deliver to the Putnam County Youth Bureau, for submission to OCFS, the appropriate Individual Program Application, as required to secure New York State OCFS funds for the Recreation Program for calendar year 2007.

UPON ROLL CALL VOTE:

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

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

RESOLUTION #48 /2006 AUTHORIZING SUBMISSION OF INDIVIDUAL PROGRAM APPLICATION-YOUTH SERVICES

Introduced By: Councilwoman Mitts
Seconded By: Councilman Johnson

WHEREAS, the Town of Southeast eligibility for New York State Office of Children and Family Services (OCFS) funds for the Youth Services Program is \$4,575.00 for the calendar year 2007 and;

WHEREAS, an application for such funds has been forwarded to the Director of the Town of Southeast Recreation Department and must be signed and returned to the Putnam County Youth Bureau on or before December 31, 2006 and,

WHEREAS, OCFS requires that each municipality applying for such funding must pass a municipal resolution authorizing the submission of such program application by December 31, 2006;

NOW, THEREFORE BE IT RESOLVED that the Town Supervisor is hereby authorized to execute and deliver to the Putnam County Youth Bureau, for submission to OCFS, the appropriate Individual Program Application, as required to secure New York State OCFS funds for the Recreation Program for calendar year 2007.

UPON ROLL CALL VOTE:

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

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

NEW BUSINESS

Waterview – The Supervisor spoke to the Planning Board Chairman as did others, regarding the changes. We, the Town Board, cannot force the Planning Board to make changes, we can only suggest them.

Meadows – There has been no contact with the developer or any agents and nothing has been discussed as a board.

Peach Lake Wastewater Treatment Plant – nothing can be done until the district is formed. A district cannot be formed until there is a map, plan and report. The DEP has indicated that they would be willing to give a variance.

Sheriff's contract – the Supervisor said that he will set up a meeting with the Sheriff and the union president at a future worksession.

September 14, 2006

Councilman Honeck made a motion to close the Regular Meeting and Councilman Bonanno seconded. All in favor.

Respectfully submitted,

Ruth Argo Mazzei