

**TOWN OF SOUTHEAST  
John J. Dunford Civic Center  
1360 Route 22, Brewster, New York 10509  
October 22, 2009  
Regular Meeting – 7:30 PM**

Notation of Exits

Pledge of Allegiance

Present: All Town Board, Town Clerk, Town Attorney

**PUBLIC HEARINGS**

**MILTOWN ROAD FIRE HOUSE**

Supervisor Rights made a motion to open the Public Hearing regarding the Milltown Fire House Ratification of ARB Determination. Councilman Yee seconded. All in favor. hearing is to consider the recommendations of the Southeast Architectural Review Board regarding the proposal of the Brewster-Southeast Joint Fire District to construct a substation on Milltown Road. There was no public comment. Councilman Johnson made a motion to close the Public Hearing. Supervisor Rights seconded. All in favor.

**ESTABLISHING A NO-PARKING ZONE AT ROUTE 6 & CT BORDER**

Supervisor Rights made a motion to open the Public Hearing. Councilman Honeck seconded. All in favor. There was no public comment. Councilman Honeck stated that this is a public road within the town. The town would adopt a resolution formally requesting the NYS Department of Transportation to establish a rule or regulation prohibiting the parking and standing of motor vehicles and trailers on Route 6 in the vicinity of the Connecticut border. Supervisor Rights made a motion to close the Public Hearing. Councilman Johnson seconded. All in favor.

**ESTABLISHING A NO PARKING ZONE AT BURDICK ROAD**

Supervisor Rights made a motion to open the Public Hearing. Councilman Gross seconded. All in favor. This hearing is to consider a proposed local law pursuant to the provisions of Section 10 of the Municipal Home Rule Law to amend Chapter 131 of the Town Code by adding a new Section 139D to prohibit parking on Burdick Road. The road is between Milltown and Old Milltown Road. It is a through road. There have been problems with people parking there and also dumping of items is a large problem. Suggestions were made by Highway Superintendent Kevin Palmer regarding signage. Supervisor Rights made a motion to close the Public Hearing. Councilman Honeck seconded. All in favor.

**REGULAR MEETING**

Supervisor Rights made a motion to open the Regular Meeting. Councilman Yee seconded. All in favor.

**CORRESPONDENCE**

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

**Correspondence Received**

1. Insite Engineering to Southeast Town Board Re: Stateline Retail Center- Design and 3D animation
2. Jacobson to Town of Southeast Re: The Children's Station of Brewster Site Plan Review
3. Jacobson to Town of Southeast Re: Heart to Heart Children's Center
4. Ruben Galilli to Southeast Town Board Re: Complaint
5. Board of Elections to Town of Southeast Re: Election Inspectors
6. NYSEFC to Town of Southeast Re: Peach Lake Project
7. Hogan & Rossi to Town Board Re: Milltown Road Substation
8. Southeast Planning Board to Town Board Re: Stateline Retail Center State Environmental Quality Review Findings Statement
9. Keane & Beane PC to Planning Board Re: Zoning Amendment-Brewster Honda
10. LADA, PC to Ruth Mazzei Re: Crossroads 312 LLC – Letter Attesting to Distribution of a Town Board Resolution to Adopt Lead Agency Status and Positive Declaration
11. NYSDOT to Town of Southeast Re: Local Highway Inventory Update
12. DEP to Town of Southeast Re: Peach Lake Wastewater Treatment Plant Funding
13. Sterling Environmental to NYSDEC Re: Landfill Closure Plan & Storm Water Pollution Prevention Plan
14. Paul Guidotti to Supervisor Rights Re: Courtesy Violation Letter
15. Green Surroundings to Town Board Re: Work for intersection of 312 & Route 6 will be completed in Fall 2009 - Spring 2010
16. Keane & Beane to Town Board Re: Petition of Route 22 Lia Realty, LLC – Property located a 2-4 Allview Ave
17. Jacobson to Town of Southeast Re: Baroody Lot Wetland Permit
18. PC Italian American Social Club Inc Re: Liquor License Renewal
19. Kevin Benston to Town Clerk Re: Road Maintenance Agreement
20. Southeast Museum to Supervisor Rights Re: Request for contractual expenses for 2010
21. AWS to Town Clerk Re: Contract Bond job status inquiry report
22. Brewster Public Library to Southeast Town Board Re: 2010 Proposed Budget
23. Coalition for a Better Brewster, Inc Re: Founders Day Oct 4, 2009
24. NYSDEC to Town Clerk Re: Revised Terms for Burn Permits
25. Brewster Sports Foundation to Town of Southeast Re: Placing of Signs
26. PC Board of Elections Re: Hands on demonstrations of the new machines
27. Thomas Togneri to Town Clerk Re: Claim against Town of Southeast
28. PC Dept of Health To Supervisor Rights Re: Solid Waster Management Plan
29. Peach Lake Coalition to SE Town Board Re: Peach Lake Goundbreaking Ceremony
30. NYSDOT to Town of Southeast Re: Use & Occupancy Permit # 82286
31. Keane & Beane to Planning Board Re: Zoning Amendment, 2-4 Allview Ave, Brewster Honda
32. Chazen Engineering to Town Clerk & Town Board Re: Endangered Species delay for Springhouse Estates Water District
33. NYSIF Cancellation of Workers' Compensation Re: NJM Improvements
34. Joan Moore to Town Clerk Re: Joan Moore against BCS District
35. AAA Carting and Rubbish Removal Inc to Town Supervisor Re: Collection of Refuse, Garbage, Recyclable Materials and Bulk Collection Contract
36. PC Department of Highways & Facilities to Town of Southeast Re: Fully executed original agreement.
37. Gelardi & Randazzo LLP to Town of Southeast Re: Fox Ridge Inn V Town of Southeast – Reply Affirmation
38. NYMIR to Michael Rights Re: Receipt of an Amended Notice of Petition – fox Ridge Motor Inn and Fox Ridge Motor Inn & Fox ridge Hotel Suites LLC
39. Putnam Humane Society to Town of Southeast Re: Renewal of Agreement

40. Hogan & Rossi to Town Board Re: Request for Approval of the Recommendation of the Wetland Inspector and the Architectural Review Board for the Milltown Road Substation
41. PC DOH to Supervisor Rights Re: Meeting regarding the Draft Putnam County Solid Waster Management Plan
42. DEP to Town Board Re: Lead Agency Notification Crossroads 312, LLC
43. Gelardi & Randazzo LLP to Building Dept Re: Fox Ridge Motor Inn et al V. Town of Southeast et al Affirmation in Opposition
44. Highway Dept to Town Board Re: Notification of Intent to Declare Lead Agency for Enoch Crosby Road Extension
45. William J. Ford to Town Board Re: Notice of Resignation
46. Robert Bondi PC Executive to Town Board Re: Formal notification that the County of Putnam has neither verbal or written agreement with the Town of Southeast for Assessing or Tax Collection services for the fiscal year 2010
47. Welby, Brady, & Greenblatt LLP to Supervisor Rights Re: Award of Contract to Bilotta Construction Corp
48. The Friends of Mark Armon to Town Clerk Re: Political Signs
49. PC Dept of Highways & Facilities to Town of Southeast Re: Intermunicipal Agreement
50. Blackberry Hills Sewer District Re: Certification and Disbursement Request
51. Supervisor of the Town of Bedford, Lewisboro, Somers & New Castle, to Supervisor Rights Re: EOH Funds for Quarry Heights
52. Gerard E Mullilgan AICP to Supervisor Rights Re: Preliminary Decision for Use of East of Hudson Water Quality Program Funds – Quarry Heights
53. Greg Ball to Town of Southeast Re: Public Town Hall regarding Health Care
54. PC Personnel Director to Supervisor Rights Re: PC Civil Service Rules and Appendices
55. Greg Ball to Supervisor Rights Re: Meeting Participation
56. Herodes & Mole PC to Supervisor Rights Re: Petition of Route 22 Lia Realty
57. EFC to Supervisor Rights Re: Landfill Closure Project
58. EFC to Supervisor Rights Re: Peaceable Hill Water District Resident Meter Installation Project
59. Forest Park Water Company to Supervisor Rights Re: Spring Lane
60. Chazen to Supervisor Rights Re: Springhouse Estates Water District – Consent Order Compliance
61. DEP to Highway Dept Re: Maple Road Drainage Improvements
62. Taylor to Sterling Environmental Engineering Re: Town of Southeast Landfill
63. Putnam County Empire Zone to Supervisor Rights Re: Establish Empire Zone
64. PC Industrial Development Agency & Seven Sutton Place LLC Re: Payment in Lieu of Tax Agreement
65. LADA PC to Town Clerk Re: Crossroads 312 LLC
66. KG&D Architects to Supervisor Rights Re: Brewster Central School District – Synthetic Turf Field Plan
67. KG&D Architects to Supervisor Rights Re: Additions to H.H. Wells Middle School
68. Pace University to Supervisor Rights Re: Receipt of check for subscription
69. Croton Falls Fire District to Ruth Mazzei Re: Notice of Public Hearing
70. Brewster-Southeast Joint Fire District to Town of Southeast Re: 2010 Budget Summary
71. Acord Certificate of Liability Ins Re: Dyno Nobel Inc
72. Acord Certificate of Liability Ins Re: Salem Roofing Inc
73. Acord Certificate of Liability Ins Re: Dave Goldberg Plumbing
74. Utica First Ins Co Liability Ins Re: Joseph Nero Construction Inc
75. Sterling Environmental Engineering to Supervisor Rights Re: Town of Southeast Landfill Closure
76. Sterling Environmental Engineering to Supervisor Rights Re: Landfill Closure Erosion Control Material Progress August 2009
77. Sterling Environmental Engineering to Supervisor Rights Re: Landfill Closure Status Report
78. **Foils:**
  - Hogan & Rossi to Building Dept Re: Survey & Zoning for 68-2-44

- Superior Walls to Building Dept Re: Log for Sept-Oct
- Erin Kenny to Bldg. Dept Re: Surveys, permits, CO's for 245 Fair St
- Superior Data to Building Dept Re: CO's and any violations
- Bradley Schwartz to Zoning Dept Re: List of courtesy warnings about fabric covered storage structures
- Michael Bruen to Accounting Dept Re: Base Pay & Overtime for 2007-2008 Highway Employees
- Bradley Schwartz to Town Clerk Re: Local Law #1 Amending Zoning Code
- R Julian to Building Dept Re: Copies of CO's & open permits for 78 Mountain Brook Dr
- Charity Kelly to Planning Board Re: Hardscrable Heights Dr minutes & site plan
- Lynne Eckardt to Town Clerk Re: Comp and or overtime pay for Supervisor's secretary in 2008 & 2009
- Superior Data to Building Dept Re: CO's and violations for 401 Covington Pl
- Lucille Etere to Building Dept Re: Survey, Septic as built, and BOHA
- Chantel to Building Dept Re: Rental Inspection records and violation records for 81 Old Road
- Daniels & Porco to Town Clerk Re: All information pertaining to the extension of Enoch Crosby Rd
- AAA Carting to Town Clerk Re: Bid information ,minutes, videos, resolutions, and accounting information on Sanipro and AWS
- Pasqual to Building Dept Re: Copy of Septic field at 3 Peter Rd
- Zarin & Steinmetz To Town Clerk Re: Accounting information, resolutions, correspondence made on behalf of Putnam Seabury Partners LP
- Ida Fichera to Building Dept Re: CO and square footage for 2905 Morgan Dr
- BHG Rand Realty to Building Dept Re: CO for deck at 1 Tanager Rd
- Katie O'Keefe to Building Dept Re: Plot plan & survey for 78 Mountain Brook
- Tawn Caputo to Building Dept Re: Survey of 18 Carriage Hill Rd
- AWS to Special Districts Re: Bid Document for AAA Carting
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**70. Memos:**

- Highway Dept to Town Board, Town Clerk & town Attorney Re: Result Bid for Dump/Sander Body

**71. Emails:**

- Paul Johnson to Town Board, Town Counsel & others Re: Letter for Town Board

**Correspondence Sent**

1. Levon Bedrosian to Diane Hernandez Re: Springhouse Estates Water District Update
2. Supervisor Rights to Springhouse Estates Water District Re: Update
3. Supervisor Rights to Springhouse Estates Water District Re: Fire Incident

**VOUCHERS**

Councilman Honeck made a motion to approve the vouchers for the amount of \$1,356,074.15. Councilman Johnson seconded and all in favor, except Councilman Yee who abstained since he did not see the vouchers.

**BUDGET TRANSFERS**

Supervisor Rights made a motion to accept the budget transfers. Councilman Honeck would like the Southeast Train Parking – ST 0599.0 ST for \$44,000.00 on page 3 to be eliminated. Mr. Honeck would like an explanation for the transfer; the Supervisor did not know the reason for the transfer. Councilman Honeck seconded the transfer with the Southeast Train Parking removed. All in favor.

**MEETING DATES**

All meetings are held at 1360 Route 22, Brewster, NY at 7:30 PM unless otherwise noted. Councilman Johnson made a motion to set the following dates and Councilman Honeck seconded.

November 5, 2009 – **Special Meeting**

Public Hearing for the 2010 Southeast Town Budget  
Budget Transfers  
Worksession to follow

November 12, 2009 – **Regular Town Board Meeting**

Public Hearings:  
Quest Properties – 7:30  
State Line Special Permit – 7:31

Informational Meeting  
Special Benefits District on Allview Ave and Carmel Ave

**RECOGNIZE BARRY HYATT**

Supervisor Rights had a plaque made to recognize Barry Hyatt for his Travel Agency's 50 years in the community.

**STATELINE**

Councilman Johnson made a motion to authorize the Supervisor to sign a referral of State Line 239M to Putnam County Planning and Development. Councilman Honeck seconded. All in favor.

**OVERTIME**

Councilman Johnson made a motion requiring Town Board Approval for Overtime in excess of \$5,000.00 for any individual for the 2010 calendar year (excluding Courts and Highway). All in favor except for 1 against (Yee).

**RESOLUTION #55A/09 - HIGHWAY TRUCK**

Councilman Honeck made a motion to adopt the Restated Bond Resolution for the Southeast Highway Truck. Councilman Johnson second. (Attached at end of minutes)

**ROLL CALL VOTE:**

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

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VOTE: carried by a vote of 3 in favor, 2 against; 0 abstained.

**BEAUTIFICATION PROJECT**

Councilman Honeck made a motion to authorize the Supervisor to sign the contract with the State DOT regarding the hillside at the intersection of Route 312 and Route 6. Councilman Gross seconded and all in favor.

**RESOLUTION # 56/09 - VERIZON WIRELESS ESTABLISHMENT OF PERFORMANCE / REMOVAL BONDS**

INTRODUCED BY: Councilman Yee  
 SECONDED BY: Councilman Gross

**WHEREAS**, the Town Board of the Town of Southeast is in receipt of a report and recommendation from the Town Engineer dated August 5, 2009 with respect to the establishment of Performance, Erosion and Removal Bonds for site plan located at 3925 Danbury Road, Town of Southeast,

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the bond amounts for the following project is set as follows:

<u>PROJECT NAME</u>	<u>PRESENT AMOUNT</u>	<u>RECOMMENDED TO</u>
Verizon Wireless Performance Bond	\$ - 0-	\$119,500.00
Erosion Control	\$ -0-	\$ 1,990.00
Removal Bond	\$ -0-	\$ 44,000.00

**ROLL CALL VOTE:**

Councilman Yee Nay  
 Councilman Gross Aye  
 Councilman Honeck Aye  
 Councilman Johnson Abstain  
 Supervisor Rights Nay

VOTE: defeated by a vote of 2 in favor, 2 against; 1 abstained.

**RESOLUTION # 57/09 - VERIZON WIRELESS ESTABLISHMENT OF PERFORMANCE / REMOVAL BONDS**

INTRODUCED BY: Councilman Gross  
 SECONDED BY: Councilman Honeck

**WHEREAS**, the Town Board of the Town of Southeast is in receipt of a report and recommendation from the Town Engineer dated August 5, 2009 with respect to the establishment of Performance, Erosion and Removal Bonds for site plan located at 3925 Danbury Road, Town of Southeast,

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the bond amounts for the following project is set as follows:

<u>PROJECT NAME</u>	<u>PRESENT AMOUNT</u>	<u>RECOMMENDED TO</u>
Verizon Wireless Performance Bond	\$ -0-	\$117,510.00
Erosion Control	\$ -0-	\$ 1,990.00
Removal Bond	\$ -0-	\$ 44,000.00

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**ROLL CALL VOTE:**

Upon Roll Call Vote:

Councilman Yee Nay  
Councilman Gross Aye  
Councilman Honeck Aye  
Councilman Johnson Abstain  
Supervisor Rights Nay

Vote was defeated by a vote of 2 in favor, 2 against, and 1 abstained.

**PEACEABLE HILL WATER DISTRICT METERS** - moved to Worksession

**LAKEVIEW MANOR REFUND**

Councilman Johnson made a motion to reimburse a resident \$100 for some issues she had. Councilman Honeck seconded. All in favor.

**ANNOUNCEMENT**

An announcement was made that there is free parking at Mt. Ebo for Shuttles to Brewster Train Station.

**NEW BUSINESS**

**HEART TO HEART CHILDCARE FENCING**

Supervisor Rights made a motion to adopt the ARB approval for the Heart-to- Heart Childcare Fencing and refer to the Planning Board. Councilman Gross seconded. All in favor.

**LETTER OF RESIGNATION**

Councilman Johnson read a letter of resignation from Town Assessor William J Ford. He wished him luck with his new position and thanked him for his years of service. (See end of minutes)

**APPOINTMENT TO TOWN ASSESSOR POSITION**

Councilman Honeck made a motion to appoint Laurie Bell to the position of Town Assessor from 10/30/09 to 09/30/2013 at a salary of \$72,000.00. Councilman Gross seconded.

Upon Roll Call Vote:

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

Vote carried by a vote of 3 in favor, 2 against, 0 abstained.

Supervisor Rights made a motion to close the meeting. Councilman Yee seconded. All in favor.

Respectfully Submitted,

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October 22, 2009

Ruth Argo Mazzei  
Southeast Town Clerk

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