

**TOWN OF SOUTHEAST
John J. Dunford Civic Center
1360 Route 22, Brewster, New York 10509
November 5, 2009
Special Meeting - 7:30 PM**

Notation of Exits
Pledge of Allegiance

CALL FOR THE ORDER OF THE DAY – Councilman Honeck

Present:

Supervisor David Michael Rights
Councilman Paul P. Johnson
Councilman Richard B. Honeck
Councilman Roger Gross
Councilman Dwight Yee

Also Present:

Town Clerk Ruth A. Mazzei
Town Counsel Willis H. Stephens

Also Approximately 80 persons

RECOGNITION OF OUTSTANDING SERVICE AS TOWN ASSESSOR – WILLIAM FORD

Councilman Johnson, Honeck and Gross presented the Town Assessor with a plaque to recognize his 10 years of outstanding service and wished him luck in his new position in Massachusetts.

PUBLIC HEARING- Preliminary 2010 Budget

Supervisor Rights made a motion to open the public hearing and Councilman Yee seconded. **All in favor.**

Supervisor Rights read the following:

**PROPOSAL TO FREEZE PROPERTY TAXES IN SOUTHEAST NEXT YEAR
OUR CHALLENGE: TO DO MORE WITH LESS**

HOW THE BUDGET IMPACTS YOUR TAX BILL - I want to report to you that for the second year in a row, I'm proposing a budget that features no tax increase. Last year, keeping a campaign promise, I presented a budget that featured a 10% cut in property taxes. This year, I'm proposing a property tax freeze. By taking sensible and straightforward measures, we can reign in the cost of government.

TOWN OUTSIDE VILLAGE - If adopted as proposed, the average homeowner would see a decline in their tax bill for the Town outside the Village. My budget proposes \$782,000 in Appropriations and \$791,000 in Revenues. I applied the \$9,000 in savings to aid other portions of the budget.

TOWNWIDE- Town wide, I propose \$9,022,942 in appropriations, and \$4,300,381 in estimated revenues. Partially offset by a \$450,000 use of unexpended fund balance, the amount to be raised by tax is \$4,281,057.

Members of the Town Council and I continue to work hard to reduce the cost of government to you, the taxpayers, while we continue to provide services that we all feel are essential to the quality of life in Southeast. In 2010, we will be asking our departments to operate with less funding. We will look for ways to reinvent the way we operate government, so that we can offer governmental services at the lowest possible cost. We will continue to pursue consolidation, partnerships, outsourcing and other cost cutting measures. In addition, we need to lobby NYS government to enact reforms to enable local government to reduce unnecessary spending.

USE OF FUND BALANCE IN A-LINE FUND - As proposed, my budget applies unexpended fund balance to offset appropriations in three budget lines: \$300,000 to the A Line (Town wide budget line), and two lines in the Highway Department budget of \$75,000 each, for a total of \$450,000. This use is lower than in many prior years, and will leave Southeast -- after we pay ourselves back for money that we expended on Phase One of the Landfill Closure Project, in partnership with the Metropolitan Transportation Authority -- in excess of one million dollars. We are, and will remain, a financially strong municipality.

2010 BUDGET SEEKS TO BALANCE SERVICE NEEDS AND TAX CONCERNS - In the face of significant revenue declines and increases in costs outside of the Town's control, we have to make difficult choices. Many of our residents are out of work or concerned about losing their jobs. Retirement savings losses and steep declines in home values compound this financial distress. In light of this, any tax increase is too much. However, many Southeast residents are concerned about possible service declines. Our mandate is to represent our community family. The 2010 budget seeks to balance the need to restrain tax increases with the service needs and expectations of our residents.

MORTGAGE TAX REVENUE TO TOWN DOWN BY 40%, NYS MANDATED PENSION FUND CONTRIBUTIONS UP \$160,000 - Revenues the Town has depended upon in the past have declined, much of which are directly related to the weak economy. In addition to mortgage tax declines, assessed valuations are down, which impact the tax rate.

While revenues are down, some expenses have gone up. For example, the Town is now mandated by NYS to increase contributions to the pension fund. New, additional costs include the infamous MTA Commuter Tax, which will cost the Town about \$23,000 in additional payroll tax.

COST CONTAINMENT - Despite that bad news highlighted above, expenses have been cut to achieve the proposed property tax freeze. These cuts include a ban on travel, sale of the municipal fleet except in the Highway Department, leaving vacant one full item position, and elimination of a couple of part time positions. Every department made difficult cuts to achieve our goal of keeping taxes as low as possible.

REDUCED AUTHORIZED JOBS - As noted, the revised proposed 2010 budget leaves vacant one full-time position to achieve savings through attrition. Later tonight, we'll discuss an RFP for a Property Tax Consultant. Several of our neighboring communities have expressed interest in partnering with Southeast regarding property tax assessment services. Partnering offers an opportunity to achieve significant savings to our residents, while preserving Southeast's important Homestead Exemption.

To offset the revenue declines and expense increases we have to make painfully hard and painstakingly considered choices. The across-the-board spending cut shares the economic pain equally, with the minimum impact to any one department or charitable entity. If the Town experiences additional departures in personnel, I anticipate not filling those positions to achieve additional savings during the present recession.

I feel strongly about the need to limit tax increases. Any changes which increase expenses should be fully offset by other expense decreases. If we don't continue to cut expenses, then the Town could face problems in the future.

I want to thank the other members of the Town Board for working in partnership with me to craft the preliminary budget filed, on time, with the Town Clerk on September 30. We had been meeting for a number of weeks reviewing items in every department, principally of course in the larger departments, and we were able to work with department heads and union employees to reach a consensus on savings. I would like to thank the Brewster Fire Department Commissioners for their hard work crafting their budget, and I praise the volunteer firemen for their contributions to the community by keeping us all safer at a cost far lower than a paid corps of firefighters. Finally, I would like to thank each department head for their work on savings in their department budgets, to do more with less funding from Town taxpayers. During this period of fiscal austerity, it's their challenge and ours to do more with less.

I would also like to thank the dedicated town work force for agreeing to the sacrifices they made to help address these difficult budgetary times.

Our Town has many beautiful places and enjoys many blessings. I am proud of our community.

Councilman Honeck read the following statement:

Roger Gross, Councilman

Dick Honeck, Councilman

Paul Johnson, Councilman

Town Budget Released

In September, Supervisor Michael Rights presented his 2010 Tentative Budget to the Town Clerk and Town Board.

His budget eliminated the Tax Collection Department, the Tax Assessor's Department, cut the Code Enforcement Department by 50%, cut funding to the Putnam County Humane Society by 50%, funding for the Brewster Library by 5%, funding for the Southeast Museum by 11%, cut funding for Veteran organizations, sold all Town Vehicles for \$32,000 (with the exception of those under the auspices of the Town Highway Department) and cut funding for litigation of quality of life zoning violations (e.g. Dykeman's section of Town). The Supervisor's budget also eliminated all contingency amounts that are used for emergencies. The Rights budget purported to cut taxes by .99% or about \$5 per year for the average Town Tax payer.

Councilmen Gross, Honeck and Johnson have announced a 2010 Preliminary Budget proposal more responsible and realistic budget with the following features:

- Restoration of Tax Collection Department – The Town, which also collects taxes on behalf of the various school districts in Southeast, needs to be able to collect taxes so that local services (e.g. snow plowing) and the education of our children can be provided. Elimination of this department was an irresponsible politically motivated move on the part of the Supervisor.
- Tax Assessor – This department was restored so that Residents are assured quality tax assessments, allow residents continued local access to information and forms (e.g., the STAR program) and ensured that residents do not lose the Homestead Tax provision. Losing the Homestead Option would cost residents \$800 to \$1,200 per year in higher property taxes. Eliminating this Department, without any provision for any assessments costs, was irresponsible and another politically motivated calculation. The Assessors department was reduced by one person, realizing net savings of approximately \$50,000 per annum.

- Maintenance – With the new water park, the 2010 budget combines two part time positions and created an additional full time maintenance worker. This will allow for more proactive maintenance of our expansive facilities.
- Putnam County Humane Society – Funding was restored to 2009 levels. The Town needs access to such a facility and is looking forward to partnering with the PCHS in the future. PCHS is a “no-kill facility,” unlike the facilities that the Supervisor is pushing the Town to utilize.
- Highway – The Budget continues to support the scheduled replacement of aging trucks in the Highway Department. The Town’s 85 miles of roads are a critical maintenance issue for safety of our residents. Highway funding for the Enoch Crosby Road Extension project was also provided for 2010 in order to ensure the health and safety of Residents living off of Enoch Crosby Road and Maple Road.
- Veterans – Restored funding to full legal limit of \$5,000 per year for Veteran organizations.
- Brewster Library – Restored funding to 2009 levels. Libraries are utilized tremendously, especially during tough economic times.
- Southeast Museum – Restored funding to 2009 levels. Like the Brewster Library, the Southeast Museum plays a critical role on the viability of Main Street in the Village of Brewster.
- Code Enforcement – In a time of continued concern about overcrowding and zoning violations, it was critical to maintain 2 Code Enforcement Officers in Southeast. The continued enforcement of the Town’s Rental Registration law and other quality of life measures make this a necessity for the Town.
- North Salem Ambulance – Funding of \$5,000 has been provided to help facilitate a solution for funding the Town’s fair share for the services being provided by the North Salem Ambulance District.
- Town Vehicles – The suggestion that employees would have to use their personnel motor vehicles for Town Business was irresponsible and not well thought out. Employees enter rugged work sites and carry messy materials which put their personnel motor vehicles at risk. The burden of having employees add commercial insurance coverage, which would not be compensated by the Town, was also significant. Lastly, the Town would be exposed for maintenance of personal motor vehicles should there be accidents by employees on Town Business. Maintaining Town vehicles is the responsible and cost effective policy for taxpayers.
- Contingency – This budget has \$40,000 of contingency to cover emergencies or should there be a decline in forecasted revenues. Should it not be needed in 2010, surplus funds would be applied to the 2011 Budget.

In addition to making this budget more responsible and realistic, costs were cut in all departments and overtime regulations were enacted. At the end of the day, this budget resulted in a 4.5% tax increase or about \$23 per year increase for the average homeowner. This is a responsible budget, and not one that was created for political impact.

This \$23 increase per year will be offset from the approximate \$12 per year savings derived from the award of the Town garbage contract to Sanipro.

A discussion developed regarding the Putnam County Pilot program that had been unfunded. Loss of personnel in the Tax Department, Tax Assessor’s Office, and Zoning Enforcement Department were proposed under the Supervisor’s Budget. The pros and cons were discussed regarding this matter.

Lynne Eckardt requested that the public hearing be left open

Supervisor Rights made a motion to leave the public hearing open until November 12, 2009. Councilman Gross seconded. All in favor.

SPECIAL MEETING

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

RESOLUTION #58 /09 – VERIZON WIRELESS

INTRODUCED BY: Councilman Honeck
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
Removal Bond	\$ -0-	\$ 44,000.00

ROLL CALL VOTE:

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

VOTE: carried by a vote of 4 in favor, 0 against; 1 abstained.

REQUEST FOR PROPOSAL – ASSESSORS OFFICE

Councilman Johnson made a motion to authorize the RFP for consultant services for e Real Property Re-assessment Project. Councilman Honeck seconded and all in favor.
VOTE: carried

RESOLUTION #59 /09 - WETLANDS PERMIT FOR CERLICH RE-SUBDIVISION / PINE RIDGE ESTATES

INTRODUCED BY: Councilman Yee
SECONDED BY: Councilman Honeck

WHEREAS, the Town of Southeast Wetlands Consultant, Stephen W. Coleman, issued a report and recommendation dated April 24, 2009, May 6, 2009 and November 4, 2009 in connection with the application of Leonard Cerlich, owner of premises located at 24 Pine View Drive, Tax Map 78.--94, in connection with the Owner’s application to re-subdivide the property; and

WHEREAS, the Report and Recommendation concludes that the “applicant has satisfactorily addressed ... comments concerning wetland issues. The wetland application is considered complete and therefore ... recommend issuance of a wetland permit;” and

WHEREAS, the Town Board finds that there is no reason to upset the findings and recommendation of the Town Wetlands Consultant in connection with said application,

NOW, THEREFORE, BE IT

RESOLVED, that after reviewing the maps, plans and submissions of the Applicant, together with the Report and Recommendations of Stephen W. Coleman Environmental Consulting dated April 24, 2009, May 6 2009 and November 4, 2009, all of which are incorporated herein by reference, the Town Board of the Town of Southeast hereby GRANTS a permit as provided in Chapter 78 of the Code of the Town of Southeast; and be it further

RESOLVED, that the Town Clerk is hereby authorized and directed to forward a certified copy of this resolution to the Applicant, Secretary of the Southeast Planning Board and to the Southeast Building Inspector forthwith.

ROLL CALL VOTE:

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

Passed by a vote of 5 in favor, 0 against; 0 abstained.

MAPLE ROAD

Councilman Honeck made a motion to authorize the Kevin Palmer, the Highway Superintendent, to under Drainage Improvements on Maple Road. It will include cross culverts, fabric membrane among other improvements. Supervisor Rights seconded and all in favor.

RESOLUTION #60/09 - PEACH LAKE SEWER DISTRICT BOND AMENDMENT

Councilman Gross introduced the resolution and seconded by Councilman Johnson.
(copy of resolution at end of minutes)

ROLL CALL VOTE:

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

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

BUDGET TRANSFER

Councilman Yee made a motion to approve the transfer of \$44,000 into the landfill fund from the Southeast Parking Fund – All in favor.

PROPOSED NEW WATER DISTRICT

Councilman Johnson made a motion to authorize the Chazen Engineering firm to draft a Map, Plan and Report for a new water district for properties included in the “outside town” portion of the Brewster Village Water. Councilman Honeck seconded and all in favor.

STORMWATER RETROFIT FOR TOWN-WIDE STORMWATER BASINS

Graham Trelstad gave a brief overview of the project and said that no action needs to be taken at this time.

WORKSESSION FOLLOWED

Respectfully Submitted,

Ruth Argo Mazzei
Southeast Town Clerk