

**TOWN CLERKS MINUTES
REGULAR MEETING
TOWN BOARD
NOVEMBER 15, 2007**

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

Also Present: Town Clerk Ruth Mazzei

REGULAR MEETING

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

Pledge of Allegiance

Notation of Exits

Brief Explanation of Town Board's Decision-Making Process

PUBLIC HEARING – COMMUNITY BASED SERVICES – SPECIAL PERMIT

Councilman Honeck made a motion to open the hearing and Councilwoman Mitts seconded. All in favor. Town Clerk Mazzei read the legal notice. This business is set up as a food service for cooking. There was a recommendation sent from the Planning Board. 8 groups homes are serviced. They are supplied with raw food, bulk sauces, etc. Mostly raw food is dispensed. They are certified from the Office of Mental Retardation in Westchester only, from 9-5; 5 days a week. The mini-vans will be picked up 2x week. When asked if this would set a precedent the answer was "no". Supervisor Dunford made a motion to close the public hearing and Councilwoman Mitts seconded. All in favor.

REVIEW OF MINUTES

Supervisor Dunford made a motion to approve the minutes of August 16, 2007 Regular Meeting, September 6, 2007 Special Meeting and October 4, 2007 special meeting. . Councilwoman Mitts seconded. All in favor.

CORRESPONDENCE

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

Correspondence Received

1. Mike Fila Re: Placement of Political Signs
2. Cathy Croft Re: Placement of Political Signs
3. Michael Beyer to the Supervisor Re: Request for Release of the Existing Bond on File for #7 Sutton Place, Fields Lane
4. United States Senate to the Supervisor Re: 2008 Museums for America Grant Program

5. New York Municipal Insurance Reciprocal to the Supervisor Re: Insured: Town of Southeast, Claimant: Jose Criollo TSOUT-2007-004
6. NYS Unified Court System to the Supervisor Re: Receipt to Acknowledge Application for a Grant Under the Justice Court Assistance Program
7. Jacobson to the Supervisor Re: Spannaus/Malloy Lot Line Adjustment Birch Avenue and Hughes Lane, Sketch Plan Review NLJ #0001-0886
8. New York State Insurance Fund Re: P.F. Tringali Builders, Inc.
9. ACORD Certificate of Liability Insurance Re: Southeast Plumbing Corp.
10. Arthur L. Hanley, VFW Brewster Post 672 to the Supervisor Re: Invitation to Attend Ceremony at the Electrazone Park on Sunday 11/11/07 at 10:30 AM
11. Franz & Franze to the Supervisor Re: Southeast Courthouse Contractor's References
12. Westchester Teamsters Local 456 to the Supervisor Re: Teamsters Local 456 Municipal Employee Welfare Fund – Audit Request
13. United States Environmental Protection Agency to the Supervisor Re: Transfer of Primacy Authority to the NYS Dept. of Health for the Surface Water Treatment Rule for the Catskill/Delaware Water Supply System.
14. New York State Insurance Fund Re: Certificate of Workers' Compensation Insurance – Saxton Corp T/A Judge Sign Co A Division
15. Billie & Tim Froessel Re: Placement of Political Signs
16. ACORD Certificate of Liability Insurance Re: Southeast Plumbing Corp.
17. New York State Insurance Fund Re: Gentech LTD
18. New York State Insurance Fund Re: Sisca Northeast
19. Maria Steinberg, Brewster Public Library to the Supervisor Re: Increase of Library Board
20. United States Senate to Supervisor Re: 2008 Teaching American History Grant Program
21. State of New York Office of Real Property Services to the Supervisor Re: Distribution of 2007 STAR Administrative Aid for The Town of Southeast
22. State of New York Department of State to the Supervisor Re: Shared Municipal Service Incentive Grant Program
23. Jacobson Re: Putnam Precision Products Preliminary Review NLJ #0001-0194, Moriarty Tree Service Continued Preliminary Review NLJ#0001-0872, Palazzetti Office/Warehouse Request for Bond Release NLJ #0001-0797, Lot#49 Salmons Daily Brook Estates Wetlands Permit Application NLJ#0001-0887, ALCON, LLC Continued Site Plan Review NLJ #0001-0833, Hardscrabble Tennis Center Request for Final Bond Release NLJ #0001-0648, Tenth Jam Subdivision Final Subdivision Review NLJ #0001-0859, Millennium Retail/Office Building Preliminary Site Plan NLJ #0001-0858, D'Uva Site Plan Preliminary Site Plan Review NLJ #0001-0861
24. New York State Insurance Fund Re: Keevily, Spero-Whitlaw
25. Yonkers Dragados Re: Blasting Operations on DEP Property 771 Route 22
26. Ann Fanizzi Re: Tenth Jam Subdivision
27. ACORD certificate of Liability Insurance Re: Miller Environmental Group Inc.
28. ACORD certificate of Liability Insurance Re: Miller Environmental Group Inc.
29. Pat Bonanno & Associates to Supervisor Re: Request to Name a Private Road
30. State of New York Dept. of Transportation to Town Clerk Re: Restriction of Highway Contract D260304
31. NYS Environmental Facilities Corp. to Supervisor Re: Peach Lake Wastewater Project
32. Cuddy & Feder, LLP to Town Clerk Re: Home Depot Amended Site Plan
33. Blackberry Special Park Resident Committee to Supervisor Re: Request a work session with the Town Board and Special Districts Manager, Michael Levine
34. Franz & Franz to Supervisor Attn: Robert Colin Re: Southeast Courthouse Alterations
35. Franz & Franz to Supervisor Re: Town or Southeast Courthouse – Electrical Proposal
36. State of New York Dept. of Transportation to Supervisor Re: Pin 8130.64, Route 22 I-684 To C.R. 65
37. State of New York Dept. of Public Service to Community Leader Re: Meeting on Nov. 27, 2007 Energy Efficiency Portfolio Standard to address the State's energy needs

38. Irene Jagde to Supervisor Re: Requesting a three way stop at the cross roads of Dingle Ridge & Rockledge Drive also stop sighs at intersection of Dingle Ridge and Nichols Roads
39. NYMIR to Supervisor Re: Vandalism at 215 Shore Drive Lake View Manor
40. NYS Thruway Authority to Supervisor Re: Snow and Ice from overhead bridges plowed onto passing motorists below. Examples of what the Authority has done to reduce these types of incidents
41. Michael F. Beyer to Supervisor Re: #7 Sutton Lane, Brewster, N. Y. Tax Map #78-2-16.1
42. NYS Emergency Management Office to Fiscal Officer Re: Town of Southeast PKG#114 PA # 097-68924-00
43. Thomas A. Sirignano to Supervisor Re: Certificate of Occupancy for existing shed located at 8 Noel Court.
44. Chris & Bill Morrison to Supervisor Re: Removal of Dead Tree form property on Red Fox Lane
45. Bibbo Associates to Supervisor Re: Lisi's Automotive and Towing Service Dykemans Corporate Park
46. NYS Dept of Environmental Conservation to Supervisor Re: 222 acres currently owned by the County in the Great Swamp
47. FOIL: Ann Fanizzi to Planning Board Re: Millennium Project
48. FOIL: Elaine Colquhoun to Building Dept. Re: Any Violations for tanks spills for 87 Hillside Park
49. FOIL: John Daly to Building Dept Re: Violation Letter 73 Maple Dr.
50. FOIL: Bruce Martin to Town of Southeast Re: As Build for Lots 56.18-1-33 – 56.18-1-32 56.18-1-31
51. FOIL: Houlihan-Lawrence to Building Dept. Re: Glasso 13 Elmhurst S. E. 10579
52. FOIL: Putnam Engineering to Town Clerk Re: Local Law Amendments to Zoning Codes since Local Law #16 – 2004
53. FOIL: Houlihan –Lawrence to Building Dept. Re: Survey for 54 Fairview Rd Brewster, N. Y. 10509

Correspondence Sent

1. Michael F. Beyer to Supervisor Re: Treatment Plant Upgrade
2. Ms. Judy Lapiner, DEP Re: 1360 Route 22 Maintaining Land Use Permit
3. Mr. Mike Luke, Putnam County Department of Health Re: Tax Map #56.-1-45.-2704
4. NYS EFC Certificate of Disbursement Request # 37
5. Robert H. Sammons, P.E. Re: Report #86 Blackberry Hill Sewer District Treatment Facility

VOUCHERS

Councilman Honeck made a motion to approve the voucher list in the amount of \$1,254,993.95. Councilwoman Mitts seconded. All in favor.

MEETING DATES

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

November 29, 2007	7:30PM Civic Center	Special Meeting/Work Session
December 6, 2007	7:30PM Civic Center	Work Session
December 20, 2007	7:30PM Civic Center	Regular Meeting
December 27, 2007	4:00PM 1360 Rt. 22	Special Meeting

PUBLIC HEARINGS

Councilwoman Mitts made a motion calling for the following public hearings.
Councilman Honeck seconded. All in favor.

November 29 th	7:30PM Civic Center	Local Law Amendment 11 (2)(g)
December 20 th	7:30PM Civic Center	Release of Performance Bond-Hard Scrabble Tennis
December 20 th	7:31PM Civic Center	Release of Performance Bond Palazetti Office/Warehouse
December 20 th	7:32PM Civic Center	Release of Performance Bond-#7 Sutton Place

BUDGET TRANSFERS

Supervisor Dunford made a motion approving Budge Transfers. Councilman Johnson seconded. All in favor. (See attached)

TOWN BUDGET

Councilman Johnson made a motion to approve the adoption of 2008 Town Budget.
Councilwoman Mitts seconded. All in favor. 5.9% increase of which 3.5 is from the open space bond. This will cost the residents approximately \$24. per year.

**RESOLUTION #53 /2007 TENTH JAM SUBDIVISION-ESTABLISHING
PERFORMANCE BOND**

Introduced By: Councilwoman Mitts
Seconded By: Councilman Honeck

WHEREAS, the Town Board of the Town of Southeast is in receipt of a recommendation from the Town Engineer dated October 22, 2007 with respect to the establishment of a performance Bond for Tenth Jam, LLC residential development located on John Simpson Road (Tax Map No. 45.-1-7); and

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

NOW, THEREFORE, BE IT

RESOLVED, that the bond amount shall be established for the project set forth below:

<u>PROJECT NAME:</u>	<u>BOND AMOUNT:</u>
Tenth Jam Residential	Soil & Erosion: \$ 6,300.00
	Site Improvements: \$ 23,700.00
	Total: \$30,000.00

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.

OFFICE OF THE AGING CONTRACT

Councilman Bonanno made a motion authorizing Supervisor to Sign 2008 Office for the Aging Contract. Councilman Honeck seconded. All in favor.

RESOLUTION # 54/2007 MILLENNIUM REAL ESTATE SERVICES, INC./AUTHORIZING SETTLEMENT OF CERTIORARI PROCEEDING

Introduced By: Councilman Honeck
Seconded By: Councilman Bonanno

WHEREAS, proceedings have been commenced challenging the assessed valuation of the following commercial premises for the 2007 tax year:

Millenium Real Estate Services, LLC v. Assessor, Index No. 1663/07

WHEREAS, the Town Board is in receipt of settlement recommendations from the Town's Assessor, Appraiser and Town Attorney with regard to such proceedings.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Southeast does hereby accept the recommendations of its professional advisors and authorizes the Town Attorney to execute the Consent Judgment annexed hereto in accordance with said recommendations.

UPON A 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.

RESOLUTION # 55/2007 NAMING PRIVATE ROAD-JEANNETE LANE

Introduced By: Supervisor Dunford
Seconded By: Councilman Honeck

WHEREAS, there exists a private road serving three or more lots located off of Barnum Court in the Maplewood North Subdivision: 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 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 found and determined to be in the best interest of the people of the Town of Southeast to name the private way “**Jeannette Lane**” 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 private road running generally south from Barnum Court and serving lots known as 9 and 1 Barnum Court and an additional, currently undeveloped lot is hereby named and identified as “Jeannette Lane” and be it further

RESOLVED, that the Highway Superintendent shall install an appropriate sign or signs designating said private way as “**Jeannette Lane**”.

UPON A ROLL CALL VOTE:

Supervisor Dunford – Aye

Councilman Bonanno – Abstain

Councilwoman Mitts – Aye

Councilman Johnson – Aye

Councilman Honeck – Aye

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

RESOLUTION # 56 /2007 CLOCKTOWER COMMONS-ARCHITECTURAL REVIEW BOARD

Introduced By: Councilman Bonanno

Seconded By: Councilman Johnson

WHEREAS, the Town Board is in receipt of a Report of the Architectural Review Board of the Town of Southeast dated October 16, 2007 in connection with the application of Clocktower Associates for premises known as Clocktower Commons (Tax Map No. 57.-1-12) to construct a free-standing building consisting of approximately 3,920 sq. ft.; and

WHEREAS, the Report concludes that the “ARB” voted to positively recommend the application to the Town Board, provided that the applicant revises the drawings to include a list of all materials and colors”; and

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

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby accepts and approves the Report of the Architectural Review Board dated October 16, 2007, a copy of which is annexed hereto and made part hereof, in connection with Clocktower Commons and that such Report shall be incorporated in any final Site Plan subsequently reviewed by the Planning Board.

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.

MOTION-TOWN VEHICLES

Councilman Honeck made a motion authorizing purchase of two vehicles, one for the Building Inspector and one for the Parking Enforcer. These vehicles are paid for by the Metro North parking revenues. Councilwoman Mitts seconded and all in favor.

RESOLUTION #57 /2007 SOUTHEAST MUSEUM-LEASE EXTENSION

Introduced By: Councilwoman Mitts

Seconded By: Councilman Honeck

WHEREAS, the Southeast Museum currently occupies a portion of the “Old Town Hall” building located at 67 Main Street; and

WHEREAS, the current lease is due to expire in 2009; and

WHEREAS, there are certain benefits available to the Town provided the Museum remains a tenant at 67 Main Street for an extended period of time.

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor is hereby authorized to execute a lease extension agreement with the Southeast Museum to extend the term of the Museum’s lease to expire December 31, 2019 for space located at 67 Main Street, under the same terms and conditions currently contained in the lease between the parties.

UPON ROLL CALL VOTE:

Supervisor Dunford – Aye
Councilman Honeck – Aye
Councilman Bonanno – Aye

Councilman Johnson – Aye
Councilwoman Mitts – Aye

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

RESOLUTION # 58 /2007 SOUTHEAST VETERANS PARK

Introduced By: Supervisor Dunford
Seconded By: Councilwoman Mitts

WHEREAS, the Town of Southeast leases certain property from the City of New York currently known as the “Electrazone Field” located on Railroad Avenue and Turk Hill Road; and

WHEREAS, the facility consists of a ball field, a gazebo and, most importantly, the Town Veterans’ Monument; and

WHEREAS, it is the sense of this Town Board that it would be appropriate to formally name this facility in honor of the many men and women of the Town of Southeast and the Village of Brewster, who have served our Nation as members of the armed services.

NOW, THEREFORE BE IT

RESOLVED, that the park facility commonly referred to as “Electrazone Field” is hereby officially named “SOUTHEAST VETERANS PARK” in the Town of Southeast and the playing field therein shall be known and designated as “ELECTRAZONE FIELD” at SOUTHEAST VETERANS PARK”.

UPON A 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.

HIGHWAY DUMP TRUCK AND SNOW LAW AND SANDER

Councilman Bonanno made a motion to purchase Highway Dump Truck, Snow Plow and Sander not to exceed \$55,00, Funds to be withdrawn from the capital highway project.. Councilwoman Mitts seconded and all in favor.

NEW BUSINESS

Special Prosecutor – the town needs to re-look to see how to proceed. The nature of a particular person, the issues were criminal but was abated by their death. This is an enforcement tool and a revenue tool.

Transfers - \$1,100,000 was transferred in the budget to several accounts, such as landfills, courts, highway, etc.

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

Respectfully submitted,

Ruth Argo Mazzei
Southeast Town Clerk