

**TOWN CLERKS MINUTES
REGULAR MEETING
TOWN BOARD OCTOBER 27, 2005**

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

And: Town Clerk Ruth A. Mazzei
Town Counsel Willis H. Stephens
Town Engineer Graham Trelsted

REGULAR MEETING

Supervisor Dunford 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

RELEASE OF PERFORMANCE BOND – PICARELLA STORAGE

Supervisor Dunford made a motion open the public hearing regarding the release of the performance bond of Picarella Storage Building Councilwoman Mitts seconded and all in favor. Town Clerk Mazzei read the legal notice. This hearing is for release of a performance bond. No comments were given. Supervisor Dunford made a motion to close the hearing and Councilman Honeck seconded. All in favor.

LOCAL LAW – RENTAL REGISTRATION

Councilman Honeck made a motion to open the public hearing and Councilman Bonanno seconded. Town Clerk Mazzei read the legal notice. Graham Trelstad, the town planner, spoke of the proposed law. When asked if there will be a fee for the registration the Supervisor said it would be established at the annual meeting. Mrs. Eckardt asked for the definition of a Rental Unit. The supervisor said it is not owner occupied or an immediate family unit. Councilman Bonanno asked if there was anything in state law that the town could do to ensure that local realtors comply with the local law. The realtors should be the ones who tell their clients that the apartments must be registered. Councilman Johnson made a motion to close the meeting and Councilwoman Mitts seconded. All in favor.

PUBLIC HEARING – FOX LANE BOATWORKS

Councilwoman Mitts made a motion to open the public meeting and Councilman Bonanno seconded. All in favor. This is a special permit requirement to allow light manufacturing on premises located in an OP-1 zone. The property is on Fields Lane TM#78.0-2-72. Paul Pasquantonio said he has owned the property for 25 years. It is almost 14 acres of which approximately 7 acres. There is a barn structure on premises;

no solvents will used. There are no environmental issues. The residential section could possibly be subdivided in the future. John Harris said that he had a positive response; Joe Mazzei they were customers an are honest and fantastic people and from Dr. Cusara said he felt that it was a service to the community. Supervisor Dunford made a motion to close the meeting and Councilman Honeck seconded. All in favor.

REVIEW OF MINUTES

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

September 15, 2005 Regular Meeting
September 29, 2005 Special Meeting.

CORRESPONDENCE

Correspondence Received

1. Malcolm Pirnie Re: Starr Ridge Manor Water District Systems Improvements Field Order #4
2. Town of Patterson Planning & Zoning Office Re: East of Hudson Fund MS4 General Permit and MS4 Stormwater Program "Heightened" Requirements
3. Board of Elections Re: Reporting Summary Form
4. Timothy & Kathleen Radigan Re: Waterview Estates Subdivision
5. Hudson Valley Cerebral Palsy Association Re: Community Residence
6. Independent Sewage Works, Inc. Re: Outline of Rate Setting Principles
7. New York Municipal Insurance Reciprocal Re: NYMIR Claim Activity from 1/1/05 – 6/30/05
8. State of New York Office of the State Comptroller Re: Town of Southeast Industrial Development Agency
9. ACORD Certificate of Liability Insurance Re: Thuesen Mechanical Corp.
10. Richard I. Goldsand Re: Hollywood Café Inc. d/b/a Sciortino's Restaurant New Serial #2009261 Routes 22 & 6 Brewster, NY 10509
11. New York State Insurance Fund Re: De-Fence Inc.
12. First American Real Estate Solutions Re: Zoning Map
13. Jacobson Re: The Baseball Academy, Fields Lane – Sketch Site Plan Review NLJ #0001-0857, Millennium Site Plan U.S. Route 6 – Sketch Site Plan Review NLJ #0001-0857, Villavincencio Accessory Apartment, 12 Manor Way NLJ#0001-0856, Eric Johnson/James Torhan Lot Line Adjustment NLJ#0001-0854, Strazza Subdivision 161 Doansburg Rd. Proposed Demolition of Existing Barn NLJ#0054-0806, Pennella, LLC 261 Fields Lane NLJ#0001-0843, Old Milltown Road 3-Lot Subdivision J.P. International Development Corp. NLJ #0001-0820
14. Marian Falk, Fire District Secretary Re: 2006 Budget Croton Falls Fire District
15. Westchester County Executive Re: Peach Lake Sewer District
16. Sterling Environmental Engineering Re: Town of Southeast Landfill 3rd Quarter 2005 Monitoring Event Notification Sterling File #E99016
17. Lynne A. Eckardt Re: AWS Garbage Contract
18. Metropolitan Transportation Authority Re: MN Account No. t0000763, Town of Southeast Commuter Parking Facilities at Southeast Station, Harlem Line
19. Malcolm Pirnie Re: Brewster Heights WWTP Upgrade Construction Field Order #20-Valve Vault Access Hatch Elevation and Brewster Heights WWTP Upgrade Construction Field Order #21-Protection of UV Hydraulic Lines
20. Martin Lanning Re: Zoning - Town of Southeast, Complaint/Information No. 00490, People of the State of New York vs. Mary Lanning
21. Memo to the Supervisor from Ron Harper Re: Various Updates for Weeks Ending 9/9/05, and 9/30/05
22. Veronica Howley, Town Clerk North Salem Re: SEQR Notice of Public Comment Period on Scoping for the Preparation of the Draft Generic EIS for the Comprehensive Plant Update (CPU)

23. Insite Engineering Re: Landau Subdivision, Turk Hill Road – Tax Map Nos. 58.-1-38 & 39
24. City of New York DEP Re: Emergency Action Plan for Sodom Dam
25. Albert A. Natoli Re: Petition by Home Depot, U.S.A., Inc. and LNT, Inc. to Reduce the Rates Charged by Independent Sewage Works, Inc. by 80% and for Refunds – Reply to the Opposition to the Petition
26. Washington Group International Re: NYC Department of Environmental Protection Sodom and Bog Brook Dams Draft Emergency Action Plans
27. Putnam County Department of Highways & Facilities Re: Deans Corners Road (CR55)
28. Guastella Associates, Inc. Re: Independent Sewer Works, Inc. (“Company”)
29. New York Municipal Insurance Reciprocal Re: Recommendations for Town of Southeast
30. Heelan Realty & Development Corp. Re: Two Parcels Located at the End of Independent Way
31. Jacobson Re: Meadows at Deans Corners Site Stabilization NLJ #0001-0452, Brewster Manor Subdivision Route 312 Continued Engineering Review NLJ #0001-0366, Root Avenue Subdivision Continued Preliminary Review NLJ #0001-0724, Unilock New York, Inc. International Blvd. Amended Site Plan Review NLJ #0001-0308, Pine View Drive Pine Ridge Subdivision Request for Bond Release NLJ #0001-0685, Old Milltown Road 3-Lot Subdivision J.P. International Development Corp. Continued Engineering Review NLJ #0001-0820, Baker Farm Subdivision Enoch Crosby Road Continued Preliminary Plat Review NLJ #0001-0815, SLS Residential, Inc. Putnam Avenue & U.S. Route 6 Continued Sketch Plan Review NLJ#0001-0847
32. Bolnick & Snow, LLP Re: Verizon DSL Service on Route 22
33. Barbara N. Bates Re: Water Emergency at Her Home
34. Lynne A. Eckardt Re: AWS Contract
35. State of New York Office of Real Property Services Re: 2005 Annual Aid for the Town of Southeast SWIS Code: 373000
36. March of Dimes Re: Raffle Consent Form
37. New York State Insurance Fund Re: American Landscapes & Estate
38. Sober Teens Re: Rally on Sunday, October 16, 2005 at 1:00 p.m. until 5:00 p.m.
39. VFW Brewster Post 672 Re: Veterans’ Day Service at the Electrazone Park at 10:30 a.m.
40. State of New York DOH Re: Drinking Water State Revolving Fund Final Intended Use Plan Funding Period October 1, 2005 to September 30, 2006
41. Insite Engineering Re: Quinn Subdivision Turk Hill Road Tax Map Nos. 67.-1-50 & 67.-1-51
42. State of New York Re: Environmental and Community Development Grant Programs
43. New York State Comptroller Re: February 2007 Projection
44. Spain Agency, Inc. Re: S&R Plumbing & Heating, Inc.
45. Western Surety Company: Continuation Certificate on Behalf of 3D’s Heating & Air Conditioning & Sheet Metal, Inc.
46. Malcolm Pirnie Re: Brewster Heights WWTP Upgrade Construction Instrumentation and Controls System Startup Report #2, September 2005
47. Brewster-Southeast Joint Fire District Re: 2006 Budget Summary
48. Village of Brewster Re: Proposed Revisions to the Village of Brewster Zoning Code
49. Town of Southeast Tax Department to Supervisor Dunford Re: Tax Certiorari Ordered September 15, 2005
50. Bergassi Group, LLC Re: Brewster Heights Wastewater Treatment Plant Upgrade Jett Industries, Inc.
51. Malcolm Pirnie Re: Brewster Heights WWTP Operations and Maintenance Budget, Brewster Heights WWTP Upgrade Construction Field Order #22-EQ Tank Level Signal Tending, Field Order (E) #8-Electrical Sub Meter Installation, Field Order (E) #9-Installation of Cable From EQ Tank Control Panel to Microfiltration Building, Plant Remote Alarm System Startup Report #2, September 6&7, 2005
52. Severn Trent Re: Brewster Heights Wastewater Plant Operation and Maintenance

53. Paul Johnson – Richard Honeck Re: Listing of 4x4 Signs Throughout the Town of Southeast
54. FOILS:
 - a. Lynne Eckardt Requesting Tentative Budget for 2006 – Most Current Documents for TID's in Southeast – Any Vehicle Purchased in '05 to Date any Vehicle Purchased in '04 – What Was Sent to the FBI and When and Original Bids Received on Garbage Contract – Building Permit for Ace Endico – The Town Attorney Opinion on Garbage Contract Bid and Invoices for Septic Pumping Civic Center – View All Correspondence Between the Town and AWD, AWS Any Garbage Carter Under Any Name Dating Back to 2002 and Invoices from AWS, AWD for 2005 . Copies Any Original Bids Received to View. – Southeast TID View Only, This Document Was done in 1990.
 - b. Cathy Croft Requesting Town Board Regular Meeting for August 18, 2005 – Baker Farm Subdivision File – Town Board Minutes 9/15/05 in Electronic Form
 - c. Three Lakes Management Corp. Requesting Ross Alan Inc. Application with the Town of Southeast Conservation Commission
 - d. Coldwell Banker Requesting All C O's/ Building Permits and any Documents Pertaining to Property 563 Route 312
 - e. Ann Fanizzi Requesting Planning Board Minutes for August 22, 2005
 - f. Kathleen Radigan Requesting All Letters and documents Pertaining to Meadows at Deans Corner Received since July 1, 2005 and All Letters and Documents Pertaining to Waterview Estates Received Since July 1, 2005 – Copy of Plans for Waterview Estates Showing Road Profile Section of the 250 feet of Roadway Running Behind Homes of Lambe, Pettit and Radigan

Correspondence Sent

1. Honorable Robert J. Bondi Re: MS4 Funding Initiative
2. Mr. Sean O' Leary Re: Trucks on International Blvd.
3. Robert H. Sammons, P.E. Re: Revised Copy of Monthly Upgrade Cost Report #65 for the Brewster Heights Sewer District No. 1 Upgrade Project
4. Mayor John Cesar Re: Payment of Water Rent Accounts 01-143 and 01-488
5. Memo to the Supervisor from Alan Jacknick Re: Gas Prices
6. Town Employees from Michael Levine Re: Parking Schedule for Gold Lot, Week of 9/26/05
7. Town Supervisor and Town Board from Michael Levine Re: Cost Comparison of Refuse Services
8. Town Supervisor and Town Board from Michael Levine Re: Boiler Replacement at Civic Center
9. NYS Department of State Re: Community Projects Contract #TM31139
10. Mrs. Grace Whitney, Mr. Michael Kondrat, Mr. Thomas Bober, Mr. Eric Heinke Re: Shady Lane Street Sign
11. Memo from the Highway Superintendent to The Supervisor/Town Board/Town/Town Accountant Re: Increased Fuel Costs/Winter Materials
12. Ms. Allene Valenty Re: SRF Project No.: C3-5340-04-00
13. P. W. Scott & Associates Re: Escrow Account – Root Avenue Subdivision
14. Harry Nichols Re: Escrow Account – J.P. International Subdivision, Baker Farm Subdivision, High Meadow Farm Subdivision and Fox Lane Site Plan
15. Robert H. Sammons, P.E. Re: Report #66 Brewster Heights Wastewater Treatment Plant Upgrade and Report #61 for the Blackberry Hill Sewer District Treatment Facility
16. AWS, Inc. Re: Collection and Removal of Solid Waste in the Town of Southeast
17. Mr. Randall J. Fleisher Re: Town of Southeast 2006 Parking Management Plan
18. New York State & Local Retirement System Re: Resolution Providing for Section 75i
19. Mr. Michael J. Meyer Re: Good Neighbor Payment Annual Accounting
20. Ms. Teri Ann Hahn Re: Escrow Account for Fisher Subdivision
21. Mr. Randall Booker Re: Amendment #4 to the Engineering Contract Between Town of Southeast and Brewster Heights Sewer District #1 and Malcolm Pirnie

- 22. Memo to the Supervisor from Michael Levine Re: Boiler Replacement at Civic Center and Award of Electrical Bid, Foxhill and Blackberry Water Districts
- 23. Mr. Jordan Berkman & Mr. John Petrillo Re: 577 North Main Street
- 24. Town of Southeast Re: SRF Project No.: C3-5340-04-00
- 25. Town Of Southeast Brewster Heights Sewer District No.1 Report #66 and Blackberry Hill Sanitary Sewer District STP Report #61

VOUCHERS

Councilman Honeck made a motion to approve the Voucher List in the amount of \$725,329.18. Councilman Johnson seconded. All in favor.

BUDGET TRANSFERS

Councilman Johnson made a motion authorizing attached Budget Transfers.(at end of minutes) Councilman Bonanno seconded. All in favor.

MEETING DATES

Councilman Bonanno made a motion setting meeting dates. Councilwoman Mitts seconded; all in favor.

November 3, 2005	7:30PM Civic Center	Work Session
November 10, 2005	7:30PM Civic Center	Special Meeting/ Work Session
November 17, 2005	7:30PM Civic Center	Regular Meeting

SETTING OF PUBLIC HEARINGS

Councilman Honeck made a motion to set the following Public Hearings. Councilwoman Mitts seconded. All in favor.

November 10, 2005	7:30PM Civic Center	2006 Town of Southeast Budget
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PROBATIONARY MAINTENANCE WORKER

Supervisor Dunford made a motion to appoint Dan Adams, Probationary Maintenance Worker. Councilman Honeck seconded. All in favor.

RESOLUTION # /2005 AUTHORIZING SUBMISSION OF INDIVIDUAL PROGRAM APPLICATION-RECREATION

Introduced By: Councilman Honeck
Seconded By: Councilman Johnson

WHEREAS, the Town of Southeast state eligibility for New York State Office of Children and Family Services (OCFS) funds for the Youth Services Program is \$5,055.00 for the calendar year 2006 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, 2005 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, 2005

NOW THEREFORE BE IT RESOLVED, 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 Youth Services Program for the calendar year 2005.

UPON ROLL CALL VOTE:

Supervisor Dunford – Aye
Councilman Bonanno – Aye
Councilman Johnson – Aye

Councilman Honeck – Aye
Councilwoman Mitts – Aye

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

RESOLUTION # /2005 AUTHORIZING SUBMISSION OF INDIVIDUAL PROGRAM APPLICATION – YOUTH SERVICES

Introduced By: Councilman Johnson
Seconded By: Councilwoman Mitts

WHEREAS, the Town of Southeast state eligibility for New York State Office of Children and Family Services (OCFS) funds for the Youth Services Program is \$4,499.00 for the calendar year 2006 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, 2005 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, 2005

NOW, THEREFORE BE IT RESOLVED, 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 Youth Services Program for the calendar year 2005.

UPON ROLL CALL VOTE:

Supervisor Dunford – Aye
Councilman Bonanno – Aye
Councilman Johnson – Aye

Councilman Honeck – Aye
Councilwoman Mitts – Aye

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

NEW BUSINESS

Historic Sites - the status of the September Historic Sites Meeting of September 13, 2005. The 47 acre parcel on Milltown was questioned and the Supervisor said it was open

Starr Ridge and Fox Hill Water District

Supervisor Dunford made a motion to spend \$48,000 for electrical work for the Starr Ridge and the Fox Hill Water District. The award was given to D. Owens of Mahopac, N.Y. Councilman Honeck seconded and all in favor.

October 27, 2005

Mrs. Ekhardt stated that during a previous meeting that the question she asked the Town Clerk was regarding Law Enforcement not FBI. The Town Clerk said she would investigate it. A question was also asked regarding the court facilities

and the Supervisor said he was not sure yet what the final costs would be. Also the cost of the newsletter was questioned.

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

Respectfully submitted,

Ruth Argo Mazzei
Southeast Town Clerk