

**TOWN OF SOUTHEAST
REGULAR MEETING
APRIL 20, 2006**

Present: Supervisor John J. Dunford
Councilman Paul P. Johnson
Councilman Richard B. Honeck
Councilman Pat Bonanno

Also: Town Clerk Ruth A. Mazzei
Town Counsel Willis H. Stephens, Jr.

And: Approximately 20 persons

Absent: Councilwoman Mitts

REGULAR MEETING

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

Special Presentation: Mr. & Mrs. Snowman

Briana Pellechia, one of the contest winners, led the meeting with the Pledge of Allegiance. After that, Mr. Knox the Recreation Director, presented her with a \$50. US Savings Bond, a gift she received as being the winner of the "traditional" Mr. And Mrs. Snowman Contest. Dominic Walsh, who was not present, was the winner of the "any variety" contest.

Notation of Exits

Brief Explanation of Town Board's Decision-Making Process

Public Hearings:

WESTON CHASE - REDUCTION OF PERFORMANCE BOBD

Councilman Honeck made a motion to open the hearing and Councilman Bonanno seconded. All in favor. Town Clerk Mazzei read the legal notice. The bond was being reduced to \$244,000 after receiving a recommendation from the engineer and the Planning Board. No comments were given. Supervisor Dunford made a motion to close the hearing and Councilman Bonanno seconded. All in favor.

FOX LANE SPECIAL PERMIT

Supervisor Dunford made a motion to open the hearing and Councilman Johnson seconded. All in favor. Town Clerk Mazzei read the legal notice. Mr. Pasquantonio presented the mailings to the Town Clerk. The property is located on North Salem Road/Fields Lane and has 13 acres. It was recently subdivided with 7 acres in an OP-1 zone and 6 acres as residential. He would like to amend the use to permit accessory use. He has a 3,600 foot barn which allows 720 feet allowed retail. He already assembles Kayaks and would like to include high end bikes and gear. He said that it meets all the requirements with no adverse effect on the area. There will be no additional outside storage. When asked if the Special Permit goes to the next owner of the property, the Town Counsel said it is not as of right. It generally is granted to the individual and the next owners would have to get the Special Permit renewed. Mr. Pasquantonio said he has letters from 6 neighbors and this business would be on the second floor. Mr. Johnson

said he is concerned about letting retail on Fields Lane. A audience member asked if there is a plan for Fields Lane and the Supervisor said that there is zoning there already. Another resident has concerns and feels that it is hodge podge. Councilman Honeck made a motion to close the hearing and Councilman Johnson seconded. All in favor.

PENNELLA SPECIAL PERMIT

Councilman Honeck made a motion to open the hearing and Councilman Johnson seconded. All in favor. This permit is for 262 Fields Lane in an OP-1 zone with 6.89 acres. There is a curb cut from Fields Lane. There are no immediate neighbors in the vicinity. The special permit is to store equipment and there will be no outside storage proposed. There will be one bathroom proposed and 7 parking spaces. The Applicant is in process of getting the wetlands permit. As the building appears now, it looks as though it is a two story building, it actually it only has one story. There will be minimal lighting and a small amount of signage. It is a 90% warehouse and 10% office. It requires a special permit if it exceeds 20% warehouse. There will be no gas storage only plows, equipment, etc, The exterior will be stone faced block on all four sides. A full set of plans was revised in February of 2006. The date of April 20, 2006 will be entered on the renderings. Most of the personnel go directly to the job site and do not come to the warehouse. A Fields Land resident said it is not uncommon to have 90/10 on Fields Lane He would like to have a more corporate look. Another question was raised asking if there is a way to prevent the next owner from making a request to have the permit continue. The Supervisor said everyone has the right to make a request. Town Counsel Stephens said that the assessment is due to constructions costs, etc. Councilman Honeck made a motion to leave the public hearing open and Councilman Johnson seconded and all in favor.

PUBLIC HEARING – WETLANDS ORDINANCE

Supervisor Dunford made a motion to defer the public hearing and Councilman Johnson seconded. All in favor.

PUBLIC HEARING CONTINUANCE - BREWSTER COMMERCIAL COMPLEX

Dan Hollis was present to represent the applicants. Four special permits are needed for the 69,900 square foot building. 300 square feet is an office and the rest are businesses. There is a fabrication job shop which does customized rough work on metal. There is also a design studio with 2-3 employees and approximately 4-6 customers per month, with a 400 sq. ft. office and 4,300 sq. ft. work area. ACS with 5 employees is an electrical assembly business for sewage and water meters. Kent Iron Works has 180 feet of office and 2,800 square feet of work space with 4 employees. Regarding the landscape an large evergreen is to be planted in the south corner. A nice buffer already exists. The front of the building does not belong to the applicant. Mr. Petrillo and Berkman are the owners and these issues existed before the applicant became the contract vendee. Supervisor Dunford made a motion to close the hearing and Councilman Honeck seconded. All in favor.

REVIEW OF MINUTES – MARCH 16, 2006

Supervisor Dunford made a motion to approve the March 16, 2006 minutes and Councilman Johnson seconded. All in favor.

CORRESPONDENCE

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

VOUCHER LIST

Councilman Honeck made a motion to approve the voucher list for the amount of \$1,926,900.20. Councilman Johnson seconded. All in favor.

BUDGET FRANSFERS

Supervisor Dunford made a motion to approve the attached budget transfers and Councilman Johnson seconded. All in favor. (Attached)

MEETING DATES

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

| | | |
|----------------|---------------------|-----------------|
| April 27, 2006 | 7:30PM Civic Center | Work Session |
| May 11, 2006 | 7:30PM Civic Center | Work Session |
| May 25, 2006 | 7:30PM Civic Center | Regular Meeting |

PUBLIC HEARING DATES

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

May 25, 2006 7:30 pm Civic Center – Fisher Subdivision – 280a referral
7:31 pm Stormwater Annual Report
7:32 pm Amendment Local Law – Wetlands
7:33 pm Amendment Local Law – Veterans Exemption

****All Resolutions available at the Town Clerk's Office*****

Resolution - Reduction of Performance Bond - Stonecrest Senior Housing

Councilman Honeck made a motion to defer the item and Councilman Johnson seconded. All in favor.

Motion - Authorization for the Blackberry Park Capital Project, per NY State Contract Purchase estimated at \$39,000

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

Motion - Authorizing Supervisor to Sign 2006 Contract with Putnam County Real Property Tax Service

Councilman Johnson made a motion to approve and Councilman Bonanno seconded. All in favor.

Resolution - Wetlands Permit, Arthur A. Landau Subdivision

Councilman Johnson made a motion to approve the permit and Supervisor Dunford seconded. All in favor.

Motion - Acceptance of Low Bid Submissions for Material per the Highway Superintendent's Recommendation

Councilman Bonanno made a motion to approve the bid submission and Supervisor Dunford seconded. All in favor,

Resolution - \$260,000 Bond Resolution for Highway/Roadway Rehabilitation

Councilman Honeck made a motion to approve the bond resolution and Councilman Bonanno seconded and all in favor.

Resolution - \$250,000 Bond Resolution for the Purchase of Dump Truck and Street Sweeper

Councilman Honeck made a motion to approve the resolution and Councilman Bonanno seconded. All in favor.

Resolution - \$135,000 Bond Resolution for the Installation of a Granular Activated Carbon System for the Springhouse Water District

Councilman Bonanno made a motion to approve the resolution and Councilman Johnson seconded. All in favor.

Resolution - \$115,000 Bond Resolution for the Replacement of the Control Equipment and Filter Internals at the Treatment Plant for the Brewster Heights Sewer District

Councilman Honeck made a motion to approve the resolution and Councilman Bonanno seconded. All in favor.

Motion - Authorizing the Approval Highway Spring Bids

Councilman Bonanno made the motion and Councilman Honeck seconded. All in favor.

Motion - Hiring of Cathleen Burns as the New Court Clerk

Supervisor Dunford made a motion to approve the hiring of the New Court Clerk and Councilman Honeck seconded. All in favor.

NEW BUSINESS

April 29th is Town of Southeast Clean-up

Fields Lane – Supervisor Dunford that there was a Master Plan Committee. Zoning change was to reflect the wishes of the community. Anyone can apply for permitted uses and also some special permits can be applied for recreational uses. The Town Board is focusing on structures and how they look. Every 6-8 years it is revised which may happen in 2008 or 2009.

PLEC meeting on April 25. - Both Town Boards were invited. When asked if Starr Ridge Manor has to be included, the Supervisor said there is no Intermunicipal Agreement in place. Town Counsel Stephens said that there will be a series of public hearings before being adopted. Whether it comes before the district is form or after has

to be determined. If it is located within the Town of Southeast, then both towns contribute to the operation. The supervisor said that there is nothing to lock anyone into the sewer. If names were not originally included, then they could not be added later. The Town Counsel said that there is a petition process which needs a certain percentage. It is a complicated process. When asked how they could opt out of the district before the petition is started, the Supervisor said that if Starr Ridge does not want to be included, then it will not be included. He said that once the map and cost analysis is obtained, then Starr Ridge can decide if they want to be included. For vacant property owners, Town Counsel Stephens said that according to the DEP, they do not enhance growth.

Waterview Estates – the Town Board was advised that there were lot line adjustments without public hearings. It was questioned if a 280a can be eliminated by doing a lot line adjustment and suggested that a computerized rendering should be shown for every property.

Fields Lane – The board was notified that Norwood tree is now operating as a excavating business. Most businesses have extended uses and hours of operations. The Fields Lane resident feels that Special Permits give a wide latitude and he cares about all the traffic. The Town Counsel said the businesses are under the scrutiny of the Code enforcement Officer.

Zoning – when asked what the vacancy rate in White Plains is, Councilman Johnson said he did not know. Supervisor Dunford said the new zoning was for 25,000 square feet and the HC-1 was not included. Councilman Johnson said this covers the entire town except the HC-1 zone (one parcel) with 200 feet of interstate Highway.

Landfill Capping – the Supervisor said that he is waiting to here from the DEC. Metro North is involved only with the Right-of-way.

Wells Park – no new buildings.

Garbage – no decision has been made regarding the renewal.

Old Town Hall renovations – The Town Board will consider the renovations once the sewer district is formed. The Village of Brewster said the town will be hooked-up.

Foil – The county and town processes was mentioned.

EXECUTIVE SESSION

Councilman Johnson made a motion to enter into executive session regarding litigation. Supervisor Dunford made a motion to come out of executive session.

LEGAL SERVICES

Councilman Johnson made a motion to engage the law firm of Jacobowitz and Gubits or any other law firm to take the appropriate action to restrain the Village of Brewster from shutting off the water to any of the Town of Southeast resident who are users of the Village of Brewster water.

Upon roll call vote:

Supervisor Dunford – aye
Councilman Johnson - aye
Councilman Honeck – aye
Councilman Bonanno – aye

Vote carried by a vote of 4S ayes, 0 nays, 0 abstained.

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

Respectfully submitted;

Ruth Argo Mazzei
Southeast Town Clerk

DRAFT