

**TOWN CLERKS MINUTES
REGULAR MEETING
TOWN BOARD
MAY 12, 2005**

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

Also: Town Clerk Ruth Mazzei
Town Council Willis Stephens

REGULAR MEETING

Councilman Johnson 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

ANNUAL STORMWATER MANAGEMENT PLAN 2004-2005

Councilman Honeck made a motion to open the hearing and Councilwoman Mitts seconded. All in favor. Town Clerk Mazzei read the legal notice. No comments were given. Supervisor Dunford made a motion to close the meeting and Councilman Johnson seconded. All in favor.

BOND ANTICIPATION NOTE – STARR RIDGE WATER DISTRICT

Supervisor Dunford made a motion to open the public hearing and Councilman Johnson seconded. All in favor. No comments were given. Supervisor Dunford made a motion to close the hearing and Councilman Johnson seconded and all in favor.

BOND ANTICIPATION NOTE – FOX HILL WATER DISTRICT

Supervisor Dunford made a motion to open the public hearing and Councilwoman Mitts seconded. All in favor. No comments were given. Councilman Johnson made a motion to close the public hearing and Councilman Honeck seconded. All in favor.

REGULAR MEETING

MINUTES

Supervisor Dunford made a motion to defer review of the minutes of the April 14, 2005 regular meeting. Councilwoman Mitts seconded. All in favor.

CORRESPONDENCE

Correspondence Received

1. Barry & Anna Marie Fresenius, Ann Golden, Maureen Leo, Lisa Aurello, Dr. Schoenberg, Leslie Kelley, Kathleen Murphy Lord, Oscar Rosado, Mike Kelley, Gregory Milano Re: Paving Maple Road
2. Ann Fanizzi Re: Foil Request for Correspondence Between Tom Fenton and the Board for Terravest III
3. Jacobson Re: Landau Subdivision, 299 Joe's Hill Road , Continued Engineering Review NLJ #0001-0836, JNR Holdings, Inc, 2469 Route 6 Sketch Plan Review NLJ #0001-0846, Campus at Field Corners Amended Final Plat Review NLJ #0001-0432, SLS Residential Inc. Putnam Avenue & U.S. Route 6 Sketch Plan Review NLJ #0001-0847
4. Malcolm Pirnie Re: Brewster Heights WWTP Upgrade Construction Sludge Hauling
5. Town of Southeast Industrial Development Agency Re: Members
6. Town of Southeast Industrial Development Agency Re: Notice of Scheduled Public Meeting Pursuant to Open Meetings Law
7. Putnam County Italian American Social Club Re: License No. 2009095
8. Cornell Cooperative Extension Re: 2005 Putnam County 4-H Fair
9. Malcolm Pirnie Re: Brewster Heights WWTP Upgrade MPI Project No. 3391-007 Electrical Contractor-Application for Payment No. 18
10. New York State Environmental Facilities Corporation Re: Clean Water State Revolving Fund (CWSRF)
11. Paul Pember, Victoria Serino, Michael & Susan Durante Re: Paving Maple Road
12. Sterling Re: Town of Southeast Landfill 1st Quarter 2005 Monitoring Notification Sterling File #E99016
13. Ah Fun Inc. Re: Liquor License Application/Renewal American Legion Post 71 Ice Pond Road
14. Acord Certificate of Liability Insurance Re: JTR Transportation Corp
15. Memo to The Supervisor from Ron Harper Re: Various Updates for Week ending 4/1/05
16. Lisa Pittella Re: Foil Request to View Plans for Subdivision Plans for Meadows at Deans Corners, Waterview Estates, Axel Development and Weston chase
17. Insite Engineering Re: Waterview Estates
18. Lynne Eckardt Re:Foil Request for Conservation Commission Recommendation to Grant Wetlands Permit to Terravest (3/22/05)
19. Miriam Yekutiel and Susan Berman Re: Town Meeting about Rising Water Prices
20. Town of Southeast Recreation Department Re: Monthly Revenue Report of 3/31/05
21. Putnam County Legislature Re: Safety Issues on Maple Road
22. Office of the State Comptroller Re: NYCOM Main Street Conference, May 16-19 2005
23. Richard Feuerman Re: The Meadows at Deans Corners
24. Malcolm Pirnie Re: Brewster Heights WWTP Upgrade MPI Project No. 3391-007 Electrical Contractor – Application for Payment No.18
25. Mezza Luna Due Re: Liquor License Application/Renewal 1511 Rt. 22 Brewster, New York
26. Tom Scallon, Lee Pitt, Kurt D. Walters, Cathy Croft, Margaret Kogan, John H. Ballantine, Ann Fanizzi, Gregory Milano, Eileen DePaoli, Eileen D'Imperio, Herb Ballentine, Sergio Martini, Re: Paving Maple Road
27. Donald M. Rossi Re: Indian Wells Subdivision Lot 18
28. Lynne Eckardt Re: FOIL Request for Page 37 and 56 of the Oath of Office Book
29. Richard Williams, Town Planner Patterson Re:MS4 Coordination Committee
30. Putnam County Division of Planning and Development Re: Putnam County Lake Management Program 2005 Contract
31. Stuart Arbeit, SCDA Ltd. Re: Seeking Approval for Hertz Leasing/Rental Office at 999 Route 22
32. State of New York Department of State Re: Federal Appropriation of NYC Watershed Funds

33. The City of New York DEP Re: Non-Compliance with Discharge Monitoring Report Requirements Brewster Heights WWTP (T) Southeast, Putnam County SPDES#NY-0110353
34. Pat Mahoney, Commander PC Veterans of Foreign Wars Re: Loyalty Day Celebration on May 1, 2005
35. Corner Stone Telephone Company Re: Proposal for Phone Service
36. Mavis Funk Re: FOIL for Waterview Estates Plan
37. State of New York Public Service Commission Re: Memorandum and Resolution Adopting 16 NYCRR Parts 890 Through 899
38. Putnam County Personnel Department Re: Invitation to Attend an Ethics In Government Seminar: *An Ethical Minefield: Avoiding Missteps in Government Service*
39. NYS Environmental Facilities Corporation Re: Upgrade Contract for Brewster Heights Sewer District #1 Disbursement Request Number 29
40. New York State Environmental Facilities Corporation Re: Upgrade Contract for Blackberry Hill Sanitary Sewer District STP
41. Roosevelt Petithomme Re: Foil Request for Resolution for Sprint Cell Tower on Rt 22 and Resolution for all Towers
42. George Yourke Re: Waterview Estates
43. Supervisor Pozzi Re: Supervisors Monthly Meeting
44. Richard L. Tomer, Department of the Army Re: Permit Application Number 2004-00770-YS by Putnam Seabury Partners, L.P.
45. NYMIR Re: Belmont Eagles Ridge, LLC Town of Southeast TSOUT-05-005
46. NYS Environmental Facilities Corporation Re: NYC Watershed-WWTP Upgrade Program, Brewster Heights Sewer District #1 Change Order Approval
47. Pamela Jones-Brice EAP Director Re: EAP Advisory Board Meeting Date 5/11/05 at 9:30 am
48. NYS Insurance Fund Re: De-Fence Inc. c/o James Weakley
49. Catherine Croft Re: Foil Request for Scenic Road Law and List of Scenic Roads in Southeast and Current List of Historic Sites and List of Historic Sites Prior to Nov. 2004 in Southeast. Copies of the "Three Other Articles" Submitted by Richard O'Rourke at the Nov. 10, 2004 Special Meeting on Historic Sites
50. HAHN Engineering Re: Peach Lake Sewer District Map Plan and Report
51. Putnam County Youth Bureau Re: Request for Year 2006 for NYS Office of Children and Family Services and Putnam County Youth Bureau Programs to Operate in Putnam County
52. Malcolm Pirnie Re: Brewster Heights WWTP Operations and Maintenance Budget
53. Rob Decina Re: Foil Request for Minutes from 1/24/05 Zoning Board Appeals Meeting
54. Erik Yost Re: Paving Maple Road
55. United States Nuclear Regulatory Commission Re: Indian Point Nuclear Generating Unit 2 and Unit 3-Annual Assessment Meeting
56. Lynne Eckardt Re: Foil Request for Engineering and Presentation (and any other costs) Re: Maple Road and Any Correspondence on Maple Road from 3/4/05 to 4/10/05 and a Foil Request to View Correspondence Received for Maple Road from 4/11/05 to 4/14/05
57. Lynne Eckardt Re: Foil Request for Stephens and Charbonneau Invoices – Oct., Nov., December '04
58. Catherine Croft Re: Foil Request for a List of All Properties Owned by the Town of Southeast – 2004 Salaries for Town Justices and Clerks in the Justice Department (Individually) and Total Amount of Fines Collected in 2004 by Southeast
59. Lynne Eckardt Re: Assessor Mailing List used for Southeast Newsletter in Electronic Form (List Given to Letter Perfect)
60. Lynne Eckardt Re: Foil Request for the Amount of Time the Law Firm of Stephens and Charbonneau Spent Researching the Possibility of Using Town funds to Finance the Mazzei v Eckardt Case
61. Lynne Eckardt Re: Foil Request for Letters Regarding Maple Road from 4/15/05 to 5/02/05
62. George Yourke Re: Foil Request for Waterview Estates Stormwater Management Report and Copy of SD-1, SD-2 Site Development Plan
63. George Yourke Re: Foil Request for Copy of December 16, 2004 Resolution – Meadows at Deans Corner

64. Jaipore Royal Indian Cuisine Re: Foil Request for Building Department Records for Jaipore Restaurant
65. Ann Fanizzi Re: Foil Request for Status of Tax Certiorari Requests and Status of any Litigation Pertaining to all Brewster Highland Retail Establishments
66. Mildred Nugent Re: The Official List of Historical Sites Approved by the Town
67. Jody Cross Re: Planning Board Resolution Pertaining to the Campus Projects
68. The City of New York DEP Re: Peach Lake Wastewater Task Force
69. Putnam County Department of Health Re: Discontinuance of the Accessory Apartment Program
70. Mayor Cesar Re: Emerald Association of Putnam County
71. Michelle Powers Re: PC Annual Main Street Conference on 6/17/05 Kent Town Hall
72. Sy Globerman-Town of North Salem Re: Funds for the New York City Watershed
73. Kenneth G. Scherrieble, VRI Re: Providing Service for Town Water and Waste Water Facilities
74. Sterling Re: Town of Southeast Landfill Closure Cost Sterling File #E99016
75. Amy Campanaro Re: Permission to Host Event for the Brewster Education Foundation's Annual Thank You Gathering
76. CSEA Employee Benefit Fund Re: Dutchess Dental and Platinum 12 Vision w/occ. Rider Plans Contract
77. Jacobson Re: Fox Lane Site Plan, 11 fields Lane Revised Sketch Plan Review NLJ #0001-0825 – Terra 9 (Lot 11 Phase 1) Terravest International Corporate Park Performance Bond for Site Improvements NLJ #0001-0744 – Pennella, LLC 261 Fields Lane Sketch Site Plan Review NLJ #0001-0843
78. Putnam County Department of Health Re: Addition-Sacomanno, 9 Harmony Road No Increases in Number of Bedrooms (T) Southeast, T#56.15-2-9
79. The City of New York DEP Re: CRO-206-Reconstruction of Croton Falls Diverting Dam Town of Southeast Approvals and Permits
80. Insite Engineering Re: Potential WWTP Site Peach Lake Town of Southeast
81. Jacobson Re: Durkin Water Co. Fields Lane Amended Site Plan Review NLJ #0001-0742 – Reservoir Ridge U.S. Route 6 Request for Bond Reduction NLJ#0001-0396 – Envirostar Corporation 50 Fields Lane Change of Use Application NLJ #0001-0503 – Properties of Friends of Green Chimneys and John and DeeAnn Blumberg 382 Gage Road Lot Line Adjustment NLJ #0001-0848 – Baker Farm Subdivision Enoch Crosby Road Preliminary Plat Review NLJ #0001-0815 – Gasland Petroleum, Inc. Route 6 & Starr Ridge Road Amended Site Plan Review NLJ #0001-0663 – Triple J Subdivision Turk Hill Road Performance Bond for Site Improvements NLJ #0001-0775

Correspondence Sent

1. Mr. & Mrs. Charbonneau , Estate of Han Chiang-Lee Re: Refuse and Collection
2. Robert H. Sammons Re: Report #60 Brewster Heights Wastewater Treatment Plant Upgrade and Report #55 for the Blackberry Hill Sewer District Treatment Facility
3. Putnam County Italian American Social Club Re: Liquor License Renewal Waiver
4. Vendors Providing Service to the Town of Southeast Re: Certificate of Insurance
5. Ms. Marion MacQueen Re: Town of Southeast, 007 Project #T005
6. Ms. Lisa Brennan. CSEA Employee Benefit Fund Re: Employee Benefit Fund Contract
7. Beatriz Marin Re: Violations on Tax Map # 45.-2-10; 428 Rt.312
8. Stingray Partners Re: Permit for Open front Porch at Morning Star Trading Tax Map #55.12-1-18
9. Robert H. Sammons, P.E. Re: Report #61 for the Brewster Heights Wastewater Treatment Plant Upgrade and Report #56 for the Blackberry Hill Sewer District Treatment Facility
10. Kurt J. Matscherz, P.E. Re: Professional Engineering Services Peaceable Hill Water District Alternative Supply Evaluation
11. Springhouse Water District Residents Re: Water District Emergency Condition
12. Supervisor Dunford Re: Memo from Ron Hund Re: Starr Ridge Water, Fox Hill Water
13. Town of Southeast Re: Monthly Progress Report #56 – Blackberry Hill Sanitary Sewer District STP

VOUCHERS

Councilman Honeck made a motion to approve the vouchers in the amount of \$618,413.49. Supervisor Dunford seconded. All in favor.

BUDGET TRANSFERS

Supervisor Dunford made a motion approving the attached Budget Transfers. Councilman Honeck seconded. All in favor.

MOTION SETTING MEETING DATES

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

June 2, 2005	730PM Civic Center	Work Session
June 9, 2005	730PM Civic Center	Work Session
June 16, 2005	7:30PM Civic Center	Regular Meeting

PUBLIC HEARING-RESERVOIR RIDGE

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

June 16, 2005, 730PM	Civic Center	Reduction of Performance Bond Reservoir Ridge
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RESOLUTION # /2005 BOND ANTICIPATION NOTE-STARR RIDGE WATER DISTRICT

Introduced By: Councilman Johnson
Seconded By: Councilman Honeck

WHEREAS, the Town Board (the “Town Board”) of the Town of Southeast, New York (the “Town”), has duly caused to be prepared an estimate of the cost of the increase and improvement of the facilities of the Town’s Starr Ridge Water District (the”District”); and

WHEREAS, such increase and improvement of facilities consists of the replacement of a 25,000 gallon buried potable water storage tank, the replacement of a 5,000 gallon buried hydro-pneumatic tank, including without limitation, the replacement of selected associated controls and instrumentation and the reconstruction of the interior facility, including without limitation, the replacement of piping, fittings, valves, unit heater and air compressor for the district (the “Project”); and

WHEREAS, it is proposed to finance the Project by the issuance of \$243,000 serial bonds of the Town, payable through assessments levied and collected upon the taxable properties within the District; and

WHEREAS, the Town Board hereby determines that the Project is a “Type II Action,” does not have a significant effect on the environment and does not require an environmental impact statement or any other determination under the State Environmental Quality Review Act, and

WHEREAS, the Town Board on April 14, 2005, duly adopted a Resolution and Order Calling Public Hearing calling a public hearing to consider the increase and

improvement of facilities of the District consisting of the replacement of a 25,000 gallon buried potable water storage tank, the replacement of a 5,000 gallon buried hydro-pneumatic tank, including without limitation, the replacement of selected associated controls and instrumentation and the reconstruction of the interior facility, including without limitation, the replacement of piping, fittings, valves, unit heater and air compressor for the District at the total estimated maximum cost of \$243,000, and to hear all persons interested in the subject matter thereof; and

WHEREAS, pursuant to such Order and Resolution a Notice of Public Hearing was duly published and posted pursuant to the provisions of Article 12 of the Town Law: and

WHEREAS, such public hearing was duly held by the Town Board on May 12, 2005, at 7:31 o'clock A.M. (Prevailing Time) at the Civic Center, 67 Main Street, Brewster, New York, in said Town, and discussion on the matter having been had and all persons desiring to be heard having been heard, including those in favor of and those in opposition to said increase and improvements of facilities;

NOW, THEREFORE, IT IS

DETERMINED, that it is in the public interest to increase and improve the facilities of the District as hereinabove described and referred to at the total estimated maximum cost of \$243,000, and it is hereby

ORDERED, that the facilities of the District shall be increased and improved as hereinabove described at a cost not to exceed \$243,000; and it is hereby

FURTHER ORDERED, that the cost and expense of said increase and improvement of facilities shall be assessed, levied and collected from the several lots and parcels of land within the Starr Ridge Water District in the same manner and at the same time as other Town charges; and it is hereby further ordered that the Town Clerk record a certified copy of this Resolution and Public Interest Order After Public Hearing in the Office of the Clerk of Putnam County within ten (10) days after adoption thereof.

Supervisor Dunford – aye
Councilman Johnson – aye
Councilman Honeck – aye
Councilman Bonanno – aye
Councilwoman Mitts – aye

Vote carried by a vote of 5 ayes, 0 nays.

RESOLUTION # /2005 BOND ANTICIPATION NOTE – FOX HILL WATER DISTRICT

Introduced By: Councilman Bonanno
Seconded By: Councilman Honeck

WHEREAS, the Town Board (the "Town Board") of the Town of Southeast, New York (the "Town"), has duly caused to be prepared an estimate of the cost of the increase and improvement of the facilities of the Town's Fox Hill Water District (the "District"); and

WHEREAS, such increase and improvement of facilities consists of the installation and connection of a new well to serve as an emergency back-up source for the District (the "Project"); and

WHEREAS, it is proposed to finance the Project by the issuance of \$38,000 serial bonds of the Town, payable through assessments levied and collected upon the taxable properties within the District; and

WHEREAS, the Town Board hereby determines that the specific object or purpose authorized pursuant to this resolution constitutes an Unlisted Action pursuant to the State Environmental Quality Review Act (Article 8 of the Environmental Conservation Law) and, therefore, a Negative Declaration is determined with regard to this action,; and

WHEREAS, the Town Board on April 14, 2005, duly adopted a Resolution and Order Calling Public Hearing calling a public hearing to consider the increase and improvement of facilities of the District consisting of the installation and connection of a new well to serve as an emergency back-up source for the District at the total estimated maximum cost of \$38,000, and to hear all persons interested in the subject matter thereof, and

WHEREAS, pursuant to such Order and Resolution a Notice of Public Hearing was duly published and posted pursuant to the provisions of Article 12 of the Town Law; and

WHEREAS, such public hearing was duly held by the Town Board on May 12, 2005, at 7:32 o'clock A.M.(Prevailing Time) at the Civic Center, 67 Main Street, Brewster, New York, in said Town, and discussion on the matter having been had and all persons desiring to be heard having been heard, including those in favor of and those in opposition to said increase and improvement of facilities.

NOW, THEREFORE, IT IS

DETERMINED, that it is in the public interest to increase and improve the facilities of the District as hereinabove described and referred to at the total estimated maximum cost of \$38,000; and it is hereby

ORDERED, that the facilities of the District shall be increased and improved as hereinabove described at a cost not to exceed \$38,000; and it is hereby

FURTHER ORDERED, that the cost and expense of said increase and improvement of facilities shall be assessed, levied and collected from the several lots and parcels of land within the Fox Hill Water District in the same manner and at the same time as other Town charges; and it is hereby Further Ordered that the Town Clerk record a certified copy of this Resolution and Public Interest Order After Public Hearing in the office of the Clerk of Putnam County within ten (10) days after adoption thereof.

Supervisor Dunford – aye
Councilman Johnson – aye
Councilman Honeck – aye
Councilman Bonanno – aye
Councilwoman Mitts – aye

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

MOTION AUTHORIZING SUPERVISOR TO SIGN AGREEMENT WITH HAHN ENGINEERING

Councilman Bonanno made a motion authorizing Supervisor to Sign Agreement with Hahn Engineering for Consulting Services for the formation of the Peach Lake Sewer District. Councilwoman Mitts seconded. All in favor.

RESOLUTION# /2005 ESTABLISHMENT OF PERFORMANCE BOND TRIPLE J SUBDIVISION

Introduced By: Councilman Honeck
Seconded By: Councilman Johnson

WHEREAS, the Town Board of the Town of Southeast has a recommendation from the Town Engineer with respect to the Establishment of Performance Bond for Triple J. Subdivision, Welfare Road, Southeast, NY

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

NOW, THEREFORE, BE IT

RESOLVED, that the bond amount for the following project is set forth below:

<u>PROJECT NAME</u>	<u>PRESENT AMOUNT</u>	<u>RECOMMENDED TO</u>
Triple J. Subdivision	\$00.00	\$520,200.00

UPON ROLL CALL VOTE:

Supervisor Dunford	Aye	Councilman Honeck	Aye
Councilman Bonanno	Aye	Councilwoman Mitts	Aye
Councilman Johnson	Aye		

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

AUTHORIZING THE SUPERVISOR TO SIGN CONTRACT WITH PC LAKE MGMT. PROGRAM

Councilwoman Mitts made a motion authorizing Supervisor to Sign Putnam County Lake Management Program 2005 Contract. Councilman Honeck seconded. All in favor.

AUTHORIZING THE SUPERVISOR TO SIGN RECORDS STORAGE & MANAGEMENT CONTRACT

Councilman Johnson made a motion authorizing Supervisor to Sign Intermunicipal Records Storage and Management Agreement with Putnam County. Councilman Honeck seconded. All in favor.

AUTHORIZING THE SUPERVISOR TO SIGN AGREEMENT – WATER SOURCES

Councilman Honeck made a motion authorizing Supervisor to sign agreement with Malcolm Pirnie to Explore Water Sources. Councilwoman Mitts seconded. All in favor.

AUTHORIZING HOOK UP FOR FOX HILL AND BLACKBERRY

Councilman Johnson made a motion authorizing Mid Hudson Pump to hook up Fox Hill and Blackberry. Councilman Honeck seconded. All in favor.

AUTHORIZING PURCHASE OF USED VEHICLE

Councilman Bonanno made a motion authorizing Highway Superintendent to purchase used vehicle at NY State Auction. Councilman Honeck seconded. All in favor.

TEAMSTER AGREEMENT

Councilman Bonanno made a motion authorizing Supervisor to Sign Agreement between the Town of Southeast and the Teamsters for a contract dated January 1, 2005 through December 31, 2008. Councilman Honeck seconded. All in favor.

NEW BUSINESS

Councilman Bonanno spoke of the United Cerebral Palsy “Miracle League” and would like to discuss it at a future worksession.

Councilman Johnson said that Earth Day was a great success.

Councilman Honeck spoke of PARC and the County clean-up program across the county.

John Cesar “Rooster for Brewster” program

A question was asked about Deans Corners and why two approvals were still not received. Another concern is why it was left off the list and also would it need another public hearing. The Supervisor said it was left off the list inadvertently and it would be on a further worksession.

Don Cuomo submitted a petition regarding the paving of Maple Road and a letter for the record, which he read. A resident would like the cost of paving the entire road. Another resident said the speed limit of 20 mph is posted and they should not drive faster.

When questioned about drainage districts the Supervisor said the report was almost finished. He also responded that Malcolm Pirnie is being hired primarily for Peaceable Hill District. Regarding Deans Corners a transportation Corp and a Homeowners Association will both be needed.

The Supervisor said that the town-wide newsletter was mailed to every residence and every dwelling that had 3 or less families.

The Mayor said that paving Maple Road would make it a speedway.

EXECUTIVE SESSION

Supervisor Dunford made a motion to enter into executive session and Councilman Johnson seconded. All in favor.

Councilman Johnson made a motion to come out of executive session and close the regular Meeting. Councilman Honeck seconded and all in favor.

Respectfully submitted,

Ruth Argo Mazzei
Southeast Town Clerk

DRAFT