

**TOWN CLERKS MINUTES
REGULAR MEETING
TOWN BOARD
MAY 25, 2006**

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

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

REGULAR MEETING

Councilman Bonanno made a motion to open the Regular Meeting and Councilman Honeck seconded. All in favor.

Pledge of Allegiance
Notation of Exits
Brief Explanation of Town Board's Decision-Making Process

PUBLIC HEARINGS

FISHER SUBDIVISION – 280a REFERRAL

Supervisor Dunford made a motion to open the hearing and Councilman Honeck seconded. All in favor. Town Clerk Mazzei read the legal notice. Their attorney Anthony Pegistini was present. The property is located on Nelson Boulevard and they are trying to designate the property as an "Open Development Area" pursuant to section 280a of the town Law to allow such premises to be subdivided into individual lots without requiring that the lots have frontage on a town road and access is provided by common and/or private roadway. This is a 4 lot subdivision. Originally the Planning Board suggested a different access. This has been reduced to 2 lots. Terri Hahn from LADA showed the plans to develop the lots to better respond to configuration of the property. A letter was submitted from Rich O'Rourke of Keane & Beane. When asked about the zoning, and Terri said that it was built to previous specification but now does not meet current large subdivision regulations. 3 people from the audience said they have no objections. Councilman Honeck made a motion to close the meeting and Councilman Johnson seconded.

PUBLIC HEARIG – STORMWATER ANNUAL REPORT

Councilman Johnson made a motion to open the hearing and Councilwoman Mitts seconded. All in favor. Town Clerk Mazzei read the legal notice. The Town Planner Graham Trelstad explained the annual requirements. This is prepared in connection with the Federal, State and local guidelines. The report was submitted to the state to check that it complies with the regulations. It is a great source of what has been done and what is planned to be done. There are some significant changes. Councilman Johnson said that the Highway Superintendent has made substantial progress at completing the stormwater infrastructure. He also mentioned that 485 carp were being released into Lake Tonetta. Councilman Bonanno asked about the funding for the heightened requirements and Mr. Trelstad said there is minimal funding available. The Supervisor

spoke of all the meetings, etc. and Mr. Trelstad said that the towns coordination is invaluable and hope to receive some funding. Mrs. Fanizzi said that some towns have citizen stormwater committees and hope that the town will consider. Mrs. Eckardt asked how the car fit in and Mr. Trelstad the plan is a multipart approach. It is part and parcel on whether treating water as it comes in or comes out. Councilwoman Mitts made a motion to close the hearing and Councilman Johnson seconded. All in favor.

PUBLIC HEARING – WETLANDS

Supervisor Dunford made a motion to open the meeting and Councilman Johnson seconded. All in favor. Town Clerk Mazzei read the legal notice. Most of the proposed law was discussed at past meetings. This law would repeal Chapter 10 of the Southeast Town Code “Wetlands Commission” and amend Chapter 78 of the Town Code and would establish the office of Wetlands Inspector, and empower the Planning Board as the oversight authority and also the Town Board as the permitting authority for compliance with provisions of wetlands and watercourses regulations. When Mrs. Fanizzi asked about qualifications and the possibility of having 2-3 people instead of just one Wetlands Inspector, Councilman Johnson said it could be changed to consultants. When Mrs. Eckardt asked if this was Chapter 138, she was told that 138 was zoning, and that this was chapter 78. Supervisor Dunford made a motion to close the meeting and Councilman Honeck seconded. All in favor.

PUBLIC HEARING – VETERANS EXEMPTION

Councilman Bonanno made a motion to open the hearing and Councilman Honeck seconded. All in favor. Town Clerk Mazzei read the legal notice. This hearing is required by law to continue the Veterans Exemption. This would increase the income levels available to entitle certain veterans to partial real property tax exemption. Councilwoman Mitts made a motion to close the hearing and Councilman Johnson seconded. All in favor,

PUBLIC HEARING – PENNELLA CONTINUANCE

Supervisor Dunford explained that this was a continuance of a previous public hearing. Tax Map no. 78-2-93 on Fields Lane has proposed construction of a storage/warehouse facility consisting of 90% warehouse and 10% office space within an OP-1 zone. Anne Fanizzi explained that 2 years ago she wrote on proposed changes. The developers take the 80/20 and flip it, now this developer wants 90/10. It was originally intended as an Office/Professional use. Some of the businesses coming in are warehouse with very little office. Councilman Honeck made a motion to close and Councilwoman Mitts seconded. All in favor.

REVIEW OF MINUTES

Councilman Johnson made a motion to review the minutes of the Regular meeting of April 20, 2006. Councilwoman Mitts seconded. All in favor.

CORRESPONDENCE

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

Correspondence Received

1. Insite Engineering Re: Landau Subdivision, Joe’s Hill Road Tax Map Nos. 58.-1-38 & 39
2. Jacobowitz and Gubits, LLP Re: Town of Southeast with Village of Brewster Water Supply and Service File No.: 3812-1

3. Keane & Beane, P.C. Re: April 20, 2006 Public Hearing, Amendment to Special Permit, Fox Lane Site Plan, 11 Fields Lane, Tax Map No. 78.0-7-72.0
4. Strider Blasting Inc. Re: Blasting at 16 Reynwood Dr. 4/21 to 4/30
5. June Offerman Re: Southeast Sr. Center
6. Stonecrest Residence Re: Petition #1
7. Terrence K. Quinn Re: Liquor License for Kelly's Corner 1625 Route 22
8. Paul Camarda Re: Stateline Retail Center, Route 6
9. Bernadette Martabano, Village of Brewster Re: Resolution of the Board of Trustees of the Village of Brewster
10. Nationwide Mutual Fire Insurance Company Re: Vincent J. Murphy
11. Putnam County Department of Finance Re: Surplus Dog Monies
12. Jacobson Re: Arborscape 75 Fields Lane NLJ# 0001-0763 and Stateline Retail Center NLJ#0001-0868
13. Fieldstone Pond Residents on Dunhill Drive Re: Fire
14. Barbour Real Estate Re: Stateline Shopping Center
15. Edward I. Sumber Re: Putnam County Association of Realtors, Inc. Town of Southeast Local Law #6 of 2005
16. Sterling Re: Town of Southeast Landfill 1st Quarter 2006 Monitoring Results Sterling File #E99016
17. NYS Environmental Facilities Corporation Re: Brewster Heights Sewer District #1
18. Kevin Beall Re: Public Hearing for Fox Lane Boatworks
19. The City of New York Re: Lake Tonetta – Lakeview Manor Park Shore Drive Application ID 3-3730-00176/00009. Article 24 Freshwater Wetlands
20. Hands Across the Border Re: Questions, Concerns and Confusion About Absent Peach Lake Dredging, Storm and Waste Water Project Costs; Absent Public Meetings; SEQRA Segmentation: Progress of Sewer District Formation Without Resident Input; Other Lake Management Issues
21. The City of New York DEP Re: Hunters Glen WWTP Expansion & Twin Brook Manor Connection CEQR# 06DEP036U
22. AKRF Re: D'Uva Site Plan Fields Lane Tax Map Nos. 78.-2-90&91
23. Insite Engineering Re: Waterview Estates Allview Avenue & NYS Route 22 Tax Map No. 67.-1-48
24. The Association of Towns of the State of New York Re: Resolution No. 8 School Funding Reform
25. Hogan & Rossi Re: Weston Chase Subdivision Conditions of Approval
26. State of New York Office of the Attorney General Re: Meeting to Discuss Applying Phosphorus-free Fertilizer to Lawns in the Town
27. Department of the Army Re: Permit Application Number 2001-01379-YS by Metro-North Railroad
28. Certificate of Liability Insurance Re: Clearwater Building Corp/Clearwater Excavating Corp
29. Comcast Re: Comcast Corporation's Acquisition of Cable Systems Held by Susquehanna Communications
30. Town of North Salem Planning Board Re: Salem Hunt SEQR Status: Type I Action
31. Putnam County Executive Re: Notice of Preliminary Decision for Use of East of Hudson Fund
32. Putnam County MS4 Stormwater Coordinating Committee Re: Proposed Heightened Permit Requirements for MS4 in the East of Hudson Watershed Draft Dated July 22, 2005
33. New York State DEC Re: Wetlands Maps
34. Village of Brewster Re: Resolution of the Board of Trustees of the Village of Brewster
35. New York State Insurance Fund Cancellation of Certificate of Workers' Compensation Insurance Re: CKM Electrical of Westchester Inc. T/A Shoreline Electric
36. Acord Certificate of Liability Insurance Re: Bottge Inc.
37. Shamberg Marwell Davis & Hollis, P.C. Re: Proposed Local Law to Amend Chapter 138 of the Town Code – Zoning –Retail Use, Large Retail Establishment and Related Sections. Property Location: Route 6, Tax Map Designation Section 68 Block 2 Lot 48 – Farrington Properties LLC

38. Metro-North Railroad Re: Annual Emergency Preparedness Exercise in Conjunction with the Putnam County Bureau of Emergency Services
39. NYS DOT Re: Safetea-Lu High Priority Projects HPP No: 2598 Repaving Town Roads
40. Malcolm Pirnie, Inc. Re: Monthly Progress Report #72 Brewster Heights Sewer District No.1 and Monthly Progress Report #67 Blackberry Hill Sanitary Sewer District STP
41. Conservation Commission Re: Future of the Conservation Commission
42. Recreation Department Re: Monthly Revenue Report
43. Malcolm Pirnie, Inc. Re: Brewster Heights WWTP Upgrade Construction HV Contract – Final Punch List and Request/Proposal for Fuel Oil Tank Modifications/E Contract Coordination on Generator Muffler Insulation
44. New York State DEC Re: Permit to Stock (TGC) and Installation and Anchoring TGC Barrier Lake Tonetta and State Designated Freshwater Wetland CD-61 and its 100-foot Adjacent Area
45. Putnam Seabury Partners Re: Keys To Lock for Temporary Gate at Barrett Road, at its Intersection With Pugsley/Field Corners Road; Town of Southeast
46. Capital Contractors, Inc. Re: Cleaning and Maintenance Services
47. Jacobson Re: Commerce Park Lot #1 Route 6 NLJ #0001-0566, Vail’s Grove Golf Course, 230 Peach Lake Road NLJ #0001-0850, Route 6 Business Plaza 4005 Route 6E/Danbury Road NLJ #0001-0855, D’Uva Site Plan Fields Lane NLJ#0001-0861, Stateline Retail Center U.S. Route 6 NLJ#0001-0868
48. Rock Work Unlimited Re: Notice of Blasting Hardscrable Heights Tax Map 78-02-80
49. Putnam County Executive Re: Map Plan and Sewer District Boundary/Peach Lake Sewer District
50. New York State Office of Real Property Services Re: Revised Residential Assessment Ratio
51. AKRF Re: D’Uva Site Plan, Fields Lane Tax Map Nos. 78.-2-90 & 91
52. New York State Environmental Facilities Corporation Re: Blackberry Hill Sanitary Sewer District WWTP Notice To Proceed with Bid Solicitation General Construction, Electrical, HVAC and Plumbing
53. Residents of Paddock Lane Re: Unsupervised and Unleashed Dogs
54. Hahn Re: Proposed Peach Lake Sewer Districts Town of North Salem
55. Kathleen Abels Re: Historic Sites Commission
56. AnnMarie Repanti Re: Animal Control Seizures for Southeast
57. Riverkeeper Re: Community Workshop 5/20/06 from 1 to 5 p.m.
58. Howard R. Bitner Re: Claims Review Dates for 2006
59. State of New York Workers, Compensation Board Re: Jett Industries Inc.
60. Emerald Association of Putnam County, Inc. Re: Emerald Association Feis Scheduled for 5/21/06
61. Town of North Salem Re: Delay in Water Quality Improvement in Northern Westchester
62. Kathleen Abels Re: The Gage House Milltown Historic District
63. Paul Pasquantino Re: Foil Request for Any and All Correspondence to the Town of Southeast Concerning Boat Works
64. Ann Fanizzi Re: Foil Request for All Letters and/or New Documents for Stateline Retail Center
65. Cathy Croft Re: Foil Request for Minutes for Town Board Regular Meeting on March 16,2006 and Correspondence Received in 2/16/06 Minutes Item #6 and #14 and Item #6 in 1/19/06 Minutes. Conservation Commission Minutes for 12/27/05, 1/24/06 and 2/28/06. Planning Department Minutes for 1/23/06
66. Three Lakes Management Re: Foil Request for Site Plan Files for Route 6 Business Plaza Application Filed by Andrew Suozzi Tax Parcel No. 69.-1-12
67. Michael Liguori Re: Copy of Plans for 1011 Route 22
68. Theresa Ryan Re: Self Storage Facility Tax Map #56.18-1-2
69. Stephen S. Strunk Re: Foil Request for Baker Farm Subdivision File
70. Adler Consulting Re: Foil Request for Information on Proposed, Pending or Approved Developments in the Town
71. Maryann Flannery Re: Foil Request for Residential Rental Law
72. John G. Coyle Re: Foil for J.P. International Property on Milltown Road – View Maps and Files

73. P.L.I., LLC Re: (2) Freedom of Information Law Request
74. Putnam County Legislature Re: Resolution #91 of 2006
75. Susan Ambrogi Re: Stonecrest Apartments
76. The New York State Assembly Re: Restore New York
77. Wilder Balter Partners, LLC Re: Stonecrest Apartments
78. G. Howard Taylor Re: Illegal Immigration
79. Stephen S. Strunk Re: Flat Tire Caused by Stone on Maple Road

Correspondence Sent

1. New York State EFC Re: Certificate of Disbursement Request # 12
2. Chief K. Clair Re: Fieldstone Pond
3. Mrs. Deborah West Re: Storm Water Drainage
4. Mr. Stephen S. Strunck Re: Maple Road
5. Ms. Kathy Ruben Re: Stonecrest Housing
6. Memo to Supervisor Dunford from Michael Levine Re: Recreation/Maintenance Pick-up Truck
7. Memo to Supervisor Dunford from Ron Hund Re: Bond Resolutions
8. Mr. Andrew D. Brodnick Re: FOIL Request
9. Mr. John J. Lynch Re: Putnam Seabury Partners, L.P. – Campus at Field Corners Project Property Location: Route 312 and Pugsley Road Section 45 Block 1 Lots 4, 5, 8, 12 and 13
10. Mr. Armando Di Paolo Re: Rehabilitation of Rapid Sand Filters at the Brewster Heights WWTP
11. Mr. Vincent Murphy Re: 2006 Lawn Maintenance of Town Facilities and Cemeteries
12. Supervisor Dunford and Members of the Town Board from Jim Lawlor Re: Town of Southeast Road Improvement Capital Plan
13. Mr. Paul DiNardo Re: Town of Southeast Refuse Removal Services for Municipal Buildings
14. Robert H. Sammons, P.E. Re: Report #72 for the Brewster Heights Wastewater Treatment Plant Upgrade and Report #67 for the Blackberry Hell Sewer District Treatment Facility
15. Mayor John Degnan Re: Repairs to Water Main Leak Servicing Carmel Avenue
16. Memo to Conservation Commission, Building Department, Planning Board and Zoning Enforcement Officer from the Supervisor Re: Wetland Permit – Landau Subdivision
17. Mr. George Michaud Re: 2006 Contracts
18. Mr. John Lynch Re: Putnam Seabury Partners, L.P. – Campus at Field Corners Project, Route 312 and Pugsley Road Section 45, Block1 Lots 4, 5, 8, 12 and 13
19. Memo to Michael Levine from Ray Knox Re: Scolpino Park
20. Robert H. Sammons, P.E. Re: Report #73 for the Brewster Heights Wastewater Treatment Plant Upgrade and Report # 68 for the Blackberry Hill Sewer District Treatment Facility
21. Paul A. Camarda Re: Foil Request
22. Memo to Town Board, Town Clerk from Michael Levine Re: Carpentry and Plumbing Proposal
23. Building Department from Ron Harper Re: Occupancy Classification Tax Map # 45.84-2-38
24. Lisa Wadle Re: Sign Permit Application for LD's Deli, New Tenant at 2505 Carmel Ave. Tax Map #67.6-1-38
25. Mayor John Degnan Re: Water Service at Parcel 56.20-2-80

VOUCHERS

Councilman Honeck made a motion to approve the voucher list in the amount of \$578,767.28. Councilman Johnson seconded. All in favor.

BUDGET TRANSFERS

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

MEETING DATES

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

June 1, 2006	7:30PM Civic Center	Work Session
June 8, 2006	7:30PM Civic Center	Work Session
June 15, 2006	7:30PM Civic Center	Regular Meeting

PUBLIC HEARINGS

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

June 15, 2006 7:30PM Civic Center Mt. Ebo Corporate Park – Special Permit

MOTION -AUTHORIZING REMOVAL OF STONE WALL

Councilman Honeck made a motion authorizing Mr. & Mrs. C. Mannuccia to remove Stone Wall. Councilman Johnson seconded. All in favor.

MOTION-ACCEPTANCE OF PROPOSALS FOR PARTIME CONTRACTERS

Supervisor Dunford made a motion to accept the proposals of hourly rates for part-time contractors. Councilman Johnson seconded. All in favor.

MOTION-HIRING FOR THE FACILITIES DEPARTMENT

Supervisor Dunford made a motion hiring Marc McDermott and Michael McGill in the Facilities Department. Councilman Johnson seconded. All in favor.

RESOLUTION # /06 WESTON CHASE BOND REDUCTION

Introduced by Councilwoman Mitts
Seconded by Councilman Johnson

Whereas, the Town Board of the town Board has a recommendation from the Town engineer with respect to the release of Performance Bond for Weston Chase, Southeast, New York.

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>
Weston Chase	\$487,100.00	\$244,000.00

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 ayes, 0 nays, 0 abstained.

RESOLUTION # /2006 FOX LANE BOAT WORKS/SPECIAL PERMIT REQUEST

Introduced By: Councilman Honeck
Seconded By: Supervisor Dunford

WHEREAS, Paul Pasquantonio, an owner of premises located at 11 Fields Lane, Town of Southeast, also known as Tax Map No. 78.0-2-72 (the “Subject Premises”) has made application to this Town Board to amend a Special Permit to allow retail sales as an accessory use within a structure currently occupied for “light manufacturing” purposes; and

WHEREAS, the Subject Premises are located in an OP-1 zone; and

WHEREAS, “retail” is a permitted accessory use in an OP-1 zone; and

WHEREAS, the Subject Premises have previously been granted a Special Permit to allow “light manufacturing” as a principal use; and

WHEREAS, the applicant desires to dedicate 780 square feet of space within the Subject Premises to the retail sale of boats, kayaks, canoes, bicycles and related expedition and outdoor wear and accessories; and

WHEREAS, it is the view of this Town Board that the addition of an accessory use constitutes a modification or amendment of the Special Permit previously granted; and

WHEREAS, the Town Board is in receipt of a report from the Planning Board which recommends the grant of the Special Permit and has found that the proposal is in compliance with all applicable general and special standards of Article 10 of Chapter 138 of the Town Code; and

WHEREAS, the proposal constitutes a “Type II” action under the State Environmental Quality Review Act in that there is no new construction proposed and that the intensity of the use proposed does not meet or exceed any of the necessary thresholds; and

WHEREAS, a duly noticed public hearing was held by the Town Board on April 20, 2006 in connection with this application and all interested parties have been given an adequate opportunity to be heard in this regard,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Southeast hereby makes the following findings of fact in connection with the instant application:

1. The proposed use is in such location and is a size and character that it will be in harmony with the appropriate and orderly development of the surrounding district and will not be detrimental to the immediate site or adjacent properties;

2. The location and size of the proposed use, the nature and intensity of

Operations involved in or conducted in connection therewith, its site layout, and its relation to access streets will be such that both pedestrian and vehicular traffic to and from the use and the assembly of persons in connection therewith will not be hazardous;

3. As there will be no changes to the existing exterior appearance of the Buildings, the proposal will not hinder or discourage the development and use of adjacent land and buildings; and

4. The proposed use will not require such additional public facilities or services or create fiscal burdens upon the Town greater than those which characterize uses permitted as of right.

AND BE IT FURTHER

RESOLVED, that based upon the foregoing findings, the Town Board of the Town of Southeast hereby **APPROVES** the amendment or modification to the Special Use Permit previously issued to the Subject Premises to allow 780 square feet of space within the existing structure to be used for the retail sale of boats, kayaks, canoes, bicycles and related expedition and outdoor wear and accessories.

UPON ROLL CALL VOTE:

Superior Dunford – Aye
Councilman Bonanno – Aye
Councilwoman Mitts – Nay

Councilman Johnson – Nay
Councilman Honeck – Aye

VOTE: carried by a vote of 3 in favor, 2 against, 0 abstained.

RESOLUTION #/06 – BLOCK BUILDING ASSOCIATES SPECIAL PERMIT

Introduced by Supervisor Dunford
Seconded by Councilman Johnson

Whereas, Block Building Associates, owner of premises located at 577 North Main Street, Town of Southeast, also known as TM No 5 6.10-1-10.2 (“the subject premises”) has made an application to this Town Board for Special Permits to allow certain portions of the Subject Premises to continue to be used and utilized for “light manufacturing” to continue to be used and utilized for “light manufacturing” purposes; and

Whereas, the subject premises are located in an ED1 zone. And

Whereas, “light manufacturing” uses are only permitted in an ED-1 zone as a principal use upon the grant of a Special Permit by the Town Board; and

Whereas; the subject premises is pre-existing, multi-user building consisting of general business and light manufacturing use; and

Whereas, over a period of time, tenants have occupied portions of the Subject Premises and conducted “light manufacturing” without having first obtained individual certificates of occupancy and Special Permits; and

Whereas, it is the desire of the owner of the Subject Premises to legalize the existing tenant occupants who are engaged in uses requiring special use permit approvals from this Town Board’ and

Whereas, the Town Board is in receipt of a report from the Planning Board which recommends the grant of the special Permits and has found that the proposal is in compliance with all applicable general and special standards of Article 10 of Chapter 138 of the Town Code; and

Whereas, the proposal constitutes a “Type II” action under the State Environmental Review Act in that there is no new construction proposed and that the intensity of the use proposed does not meet or exceed any of the necessary proposed and that the intensity of the use proposed does not meet or exceed any of the necessary thresholds; and

Whereas, a duly noticed public hearing was held by the Town Board on March 16th and April 20th, 2006 in connection with this application and all interested parties have been given an adequate opportunity to be heard in this regard,

Now Therefore, Be It

Resolved, that the Town Board of the Town of Southeast herb makes the following findings of fact in connection with the instant application:

1. The proposed use is in such location and is a size and character that it will be in harmony with the appropriate and orderly development of the surrounding district and will not be detrimental to the immediate site or adjacent properties;
2. The location and size of the proposed use, the nature and intensity of Operations involved in or conducted in connection therewith, its site layout, and its relation to access streets will be such that both pedestrian and vehicular traffic to and from the use and the assembly of persons in connection therewith will not be hazardous;
3. As there will be no changes to the existing exterior appearance of the building. The proposal will not hinder or discourage the development and use of adjacent land and buildings; and
4. The proposed use will not require such additional public facilities or services or create fiscal burdens upon the Town greater than those which characterize uses permitted as of right.

BE IT FURTHER

Resolved, that based upon the foregoing findings, the Town Board of the Town of Southeast hereby GRANTS Special Use Permits to Block Building Associates, owner, to allow the use of four (4) separate occupancies within the Subject Premises for the purpose of “light Manufacturing”, in accordance with the floor plan layout submitted in connection with this application.

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 ayes, 0 nays, 0 abstained.

RESOLUTION # /06 STONECREST SENIOR HOUSING

Introduced by Councilman Honeck
Seconded by Councilman Johnson

Whereas, the Town Board of the Town Board has a recommendation from the Town Engineer with respect to the release of Performance Bond for Stonecrest Senior Housing, Southeast, New York.

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>
Stonecrest Senior Housing	\$1,261,000.00	\$126,140.00

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 ayes, 0 nays, 0 abstained.

RESOLUTION 3 /06 – LOCAL LAW #6 - VETERANS EXEMPTION

INTRODUCED BY: Councilwomen Mitts
 SECONDED BY: Councilman Johnson

WHEREAS, a motion was made by the Town Board of the Town of Southeast for a public hearing to be held by said Town Board on May 25, 2006 to hear all interested parties on proposed local law which would amend Chapter 126, Article III, of the Code of the Town of Southeast entitled “Veterans”, and

WHEREAS, notice of said public hearing was duly advertised in the manner prescribed by law; and

WHEREAS, said public hearing was duly held on May 25th at the Civic Center, 67 Main Street, Brewster, NY, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law, or any part thereof; and

WHEREAS, the Town Board of the Town of Southeast, after due deliberation, finds it in the best interest of the Town to adopt such local law.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Southeast hereby adopts Local Law No. 6 of 2006 entitled “a local law to amend Chapter 126, Article III, Veterans’ Real Property Tax Exemption,” a copy of which is annexed hereto and made part of this resolution, and be it further

RESOLVED, that the Town Clerk be and hereby is authorized and directed to enter said Local Law in the minutes of this meeting and in the Code Book of the Town of Southeast, and to give due notice of the adoption of said local law to the Secretary of State of New York within the time required by law.

UPON ROLL CALL VOTE:

Supervisor Dunford - Aye
Councilman Johnson - Aye
Councilman Honeck – Aye
Councilman Bonanno – Aye
Councilman Mitts – Aye

VOTE: Carried BY A VOTE OF 5 TO 0; 0 ABSTAINED.

DRAFT

Article III

Veterans' § 126-

4. Veterans Real Property Tax Exemption.

A. Qualifying residential real property as defined in the Real Property Tax Law of the State of New York shall be exempt from taxation to the extent of fifteen percent of the assessed value of such property; provided, however, that such exemption shall not exceed Fifty-four thousand dollars or the product of Fifty-four thousand dollars multiplied by the latest State Equalization Rate for the assessing unit, or in the case of a special assessing unit, the latest class ratio, whichever is less.

B. In addition to the exemption provided by paragraph A, where the veteran served in a combat theater or combat zone of operations, as documented by the award of a United States Campaign Ribbon or Service Medal, qualifying residential real property also shall be exempt from taxation to the extent of ten percent of the assessed value of such property; provided, however, that such exemption shall not exceed Ninety thousand dollars or the product of Ninety thousand dollars multiplied by the latest state Equalization Rate for the assessing unit, or in the case of special assessing unit, the latest class ratio, whichever is less.

C. In addition to the exemptions provided by paragraphs A and B, where the veteran received a compensation rating from the United States Veterans Administration or from the United States Department of Defense because of a Service connected disability, qualifying residential real property shall be exempt from taxation to the extent of the product of the assessed value of such property multiplied by fifty percent of the Veteran's Disability Rating; provided, however, that such exemption shall not exceed one hundred twenty thousand dollars or the product of one hundred twenty thousand dollars multiplied by the latest Equalization Rate for the assessing unit, or in the case of special assessing unit, the latest class ratio, whichever is less. For purposes of this paragraph, where a person who served in the Active Military, Navel or Air Service during a period of war, died in Service of a Service connected disability, such person be deemed to have been assigned a compensation rating of one hundred percent.

(end of text) –

RESOLUTION - ADOPTING LOCAL LAW AMENDING CHAPTER 138 – “ZONING”

INTRODUCED BY: Councilwomen Mitts

SECONDED BY: Councilman Johnson

WHEREAS, a resolution having been adopted by the Town Board of the Town of Southeast for a public hearing to be held by said Town Board to hear all interested parties on a proposed local law to amend the Southeast Town Code to amend Chapter 138 of the Code of the Town of Southeast entitled “Zoning”; and

WHEREAS, notice of said public hearing was advertised in an official newspaper of the Town of Southeast in the manner prescribed by law and such public hearing was held on January 26, 2006; and

WHEREAS, it is the sense of this Town Board that the proposed local law will better implement the Town's Comprehensive Plan and ensure more orderly and planned development within the Town, thereby promoting the health, safety and general welfare of the public.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Southeast hereby adopts Local Law No. 7 of 2006 pursuant to the Municipal Home Rule Law amending Chapter 138 to the Southeast Town Code, a copy of which is annexed hereto and made a part of this resolution, and be it further

RESOLVED, that the Town Clerk be and hereby is authorized and directed to enter said Local Law in the minutes of this meeting and in the Code Book of the Town of Southeast, and to give due notice of the adoption of said local law to the Secretary of State of New York within the time required by law.

UPON ROLL CALL VOTE:

Supervisor Dunford - Aye
Councilman Johnson - Aye
Councilman Honeck – Nay
Councilman Bonanno – Nay
Councilman Mitts – Aye

VOTE: NOT CARRIED BY A VOTE OF 3 TO 2; 0 ABSTAINED.

NEW BUSINESS

Moment of Silence for Memorial Day

Hourly rates depends on position.

Plec Meeting – The Supervisor will be in touch with Hahn Engineering

Peach Lake – the Supervisor will have the Highway Superintendent check the area and clean it up though it is not our property. It could be the Putnam Land Trust Property.

Landfill – nothing new.

Garbage contract – still discussing

Ace Endico – the Code Enforcement Officer is going there to check it out.

Sheriff – the contract allows for 8 hours and is up to the discretion of the Sheriff.

Special Permits – they run with the property unless it is otherwise specified.

Wetlands Inspector – replaces the Conservation commission and he recommends to the Planning Board who recommends to the Town Board.

EXECUTIVE SESSION

Supervisor Dunford made a motion to enter into Executive Session and Councilman Bonanno seconded. All in favor.

Councilman Bonanno made a motion to leave Executive Session and return to the Regular Meeting. Councilwoman Mitts seconded and all in favor.

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

Respectfully submitted,

Ruth Argo Mazzei
Southeast Town Clerk

DRAFT