

TOWN OF SOUTHEAST
1360 Route 22
Brewster, New York 10509
Thursday, October 8, 2020
WORK SESSION/REGULAR MEETING 7:00 P.M.

NOTICE OF TOWN BOARD MEETING AND AGENDA

Please Note: This meeting will take place by videoconferencing and it will be recorded. It will be posted on the Town's Website southeast-ny.gov and a transcript of the meeting will be posted within thirty (30) days of the meeting.

If you have any questions that you would like to address with Town Board during this meeting, please e-mail your questions to thay@southeast-ny.gov before 6:00 P.M. the day of the meeting and the Board will respond to your inquiry at the end of the meeting during "public comment."

To join the meeting:



1. If you **have not used Zoom before:** Please download the free app prior to the meeting so you are ready when the meeting starts:

<https://zoom.us/download>

2. Join from your computer, tablet or smartphone click the following link:

<https://us02web.zoom.us/j/84993373371?pwd=dmpMRDIJVEsrSXRlbiFRaTRJWHA1UT09>

When prompted, please provide your full name.

OR

3. You can also dial in by using your phone:

Call-in number: 1-929-436-2866

Meeting ID: 849 9337 3371

Meeting Password: 607855

For Additional Zoom FAQs and tutorials:

<https://support.zoom.us/hc/en-us/categories/200101697-Getting-Started>



TOWN OF SOUTHEAST
1360 Route 22
Brewster, New York 10509
Thursday, October 8, 2020
EXECUTIVE SESSION 6:40 P.M.
WORK SESSION/REGULAR MEETING 7:00 P.M.

Pledge of Allegiance
Notation of Exits
Turn Off/Put on Vibrate – All Electronic Devices

Executive Session:

1. Discussion – Personnel

Work Session:

1. Discussion – Verizon Wireless Telephones

Regular Meeting:

1. Resolution – Local Law – Chapter 138 – Commercial Shooting Ranges
2. Resolution – Local Law – Chapter 103 – Peddling & Soliciting
3. Resolution – Audit Of Justice Court Records
4. Resolution – Lakeview Plaza – UBP Brewster LLC – Release Of Performance Bond
5. Resolution – Establishing Performance Bond – Palmer Plumbing 2334 Route 6
6. Resolution – Establishing Performance Bond – L.S.A.R. Realty LLC – Las Mananitas Restaurant
7. Motion – Set Public Hearing – 2021 Town Budget –Thursday, October 22, 2020
8. Motion – Set Public Hearing – Special Permit for Light Manufacturing – Commercial Campus at Fields Corner, Thursday, November 5, 2020
9. Motion – Set Public Hearing – Map Change for Barrett Road – Commercial Campus at Fields Corner – Thursday, November 5, 2020
10. Motion – Refer Map Change for Barrett Road to the Town of Southeast Planning Board for a Report and Recommendation
11. Motion – Authorize Supervisor to Forward Commercial Campus at Fields Corner 239m Referral Letter to Putnam County

Recognition of Public/Public Comment
Recognition of Town Board/Town Board Comment

R#1

**TOWN BOARD
TOWN OF SOUTHEAST, NEW YORK**

LOCAL LAW – CHAPTER 138 - COMMERCIAL SHOOTING RANGES

RESOLUTION NO. _____ /2020

DATE: October 8, 2020

INTRODUCED BY: _____

SECONDED BY: _____

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 which would amend Chapter 138 of the Code of the Town of Southeast entitled Zoning to permit establishment of Commercial Shooting Ranges in certain commercially zoned areas of the Town; and

WHEREAS, notice of said public hearing was advertised in an official newspaper of the Town of Southeast in the manner prescribed by law, such public hearing was held on September 17, 2020 and all interested persons were given an opportunity to be heard at that time; and

WHEREAS, the Town Board is in receipt of a report and recommendation from the Planning Board regarding the proposed action; and

WHEREAS, the Town Board, acting a Lead Agency pursuant to the State Environmental Quality Review Act, completed review of the proposed action and found and determined that the proposed action is not likely to have a negative impact on the environment.

WHEREAS, it is the sense of this Town Board that the proposed local law will help promote the general welfare of the public.

NOW, THEREFORE, BE IT

RESOLVED, the Town Board of the Town of Southeast hereby adopts Local Law No. 8 of 2020 pursuant to the Municipal Home Rule Law to amend Chapter 138 of the Town Code (“Zoning”) to permit the establishment of Commercial Shooting Ranges in certain commercially zoned areas of the Town; and be it further

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

UPON A ROLL CALL VOTE:

Councilman Alvarez	_____
Councilman Larca	_____
Councilman Lord	_____
Councilman O’Connor	_____
Supervisor Hay	_____

VOTE: Resolution _____, by a vote of ____, to ____, ____, abstained.

TOWN CLERK'S CERTIFICATION

STATE OF NEW YORK)
 : ss.:
COUNTY OF PUTNAM)

I, MICHELE STANCATI, Town Clerk of the Town of Southeast, do hereby certify that the above is a true and exact copy of a Resolution adopted by the Town Board of the Town of Southeast at a meeting of said board held the 8th day of October, 2020.

MICHELE STANCATI
Town Clerk

R#2

**TOWN BOARD
TOWN OF SOUTHEAST, NEW YORK**

LOCAL LAW – CHAPTER 103 – PEDDLING AND SOLICITING

RESOLUTION NO. _____ /2020

DATE: October 8, 2020

INTRODUCED BY: _____

SECONDED BY: _____

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 which would amend Chapter 103 of the Code of the Town of Southeast entitled “PEDDLING AND SOLICITING” to establish a licensing framework for the practice of “door to door” peddling, soliciting and vending within the Town; and

WHEREAS, notice of said public hearing was advertised in an official newspaper of the Town of Southeast in the manner prescribed by law, such public hearing was held on September 17, 2020 and all interested persons were given an opportunity to be heard at that time; and

WHEREAS, it is the sense of this Town Board that the proposed local law will help promote the general health, safety and welfare of the public.

NOW, THEREFORE, BE IT

RESOLVED, the Town Board of the Town of Southeast hereby adopts Local Law No. 9 of 2020 pursuant to the Municipal Home Rule Law amending Chapter 103 of the Town Code entitled “Peddling and Soliciting” to regulate the practice of “door to door” peddling, soliciting and vending within Town; and be it further

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

UPON A ROLL CALL VOTE:

Councilman Alvarez _____
Councilman Larca _____
Councilman Lord _____
Councilman O’Connor _____
Supervisor Hay _____

VOTE: Resolution _____, by a vote of _____, to _____, _____ abstained.

TOWN CLERK'S CERTIFICATION

STATE OF NEW YORK)
 : ss.:
COUNTY OF PUTNAM)

I, MICHELE STANCATI, Town Clerk of the Town of Southeast, do hereby certify that the above is a true and exact copy of a Resolution adopted by the Town Board of the Town of Southeast at a meeting of said board held the 8th day of October, 2020.

MICHELE STANCATI
Town Clerk

**TOWN BOARD
TOWN OF SOUTHEAST, NEW YORK**

C#3

AUDIT OF JUSTICE COURT RECORDS

RESOLUTION NO. _____ / 2020

DATE: 10/08/20

INTRODUCED BY: Supervisor Hay

SECONDED BY: _____

WHEREAS, Section 2019-A of the Uniform Justice Court Act requires the annual examination and audit of local Justice Court records; and

WHEREAS, the Town Board is in receipt of a report of the Town's independent accountant dated, September 14, 2020 and has reviewed such report.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Southeast hereby accepts the report of examination of the Town of Southeast Justice Courts for the period ending December 31, 2019 and certifies that the requirements of Section 2019-A have been fulfilled;

AND BE IT FURTHER

RESOLVED, that the Town Clerk is directed to enter a copy of this resolution into the minutes of this meeting and to forward a certified copy of this resolution together with a copy of the report dated, September 14, 2020 to Joan Casazza, Internal Control Liaison, NYS Office of Court Administration, 2500 Pond View, Suite LL01, Castleton-on-Hudson, New York 12033.

Upon Roll Call Vote:

Councilman Alvarez _____

Councilman Larca _____

Councilman Lord _____

Councilman O'Connor _____

Supervisor Hay _____

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

TOWN CLERK'S CERTIFICATION

STATE OF NEW YORK)
 : ss.:
COUNTY OF PUTNAM)

I, MICHELE STANCATI, Town Clerk of the Town of Southeast, do hereby certify that the above is a true and exact copy of a Resolution adopted by the Town Board of the Town of Southeast at a meeting of said board held the 8th day of October, 2020.

MICHELE STANCATI
Town Clerk

TOWN OF SOUTHEAST, NEW YORK

Town Justice Court

Independent Accountants' Report
on Applying Agreed-Upon Procedures

Year ended December 31, 2019

**INDEPENDENT ACCOUNTANTS' REPORT ON
APPLYING AGREED-UPON PROCEDURES**

The Honorable Supervisor and Town Board
Town of Southeast, New York:

We have performed the procedures enumerated below, which were agreed to by the Town of Southeast, New York (the Town), solely to assist the Town in evaluating the accounting records of the Town Justice Court of the Town of Southeast (the Court) as of December 31, 2019. The Court's management is responsible for the accounting records of the Court. The sufficiency of these procedures is solely the responsibility of the Town. Consequently, we make no representation regarding the sufficiency of the procedures described below either for the purpose for which this report has been requested or for any other purpose.

The procedures and associated findings are as follows:

Procedure No. 1:

Verify the amounts submitted to the Town of Southeast for reimbursement to the general fund.

Findings:

We verified all reimbursement amounts to the general fund for the entire year. No exceptions were noted.

Procedure No. 2:

Summarize the monthly fine reports and compare to the monthly bank activity and bank reconciliations.

Findings:

We summarized the monthly fine reports and compared to the monthly bank activity bank reconciliations without exception.

Procedure No. 3:

Obtain an understanding of cash receipt procedures and review that procedures are operating properly.

Findings:

We obtained an understanding of cash receipt procedures through inquiry of the town accountant and reviewed a sample of receipts from each of the two justices. The sample of receipts were compared with individuals' case files for accuracy. Cash receipt procedures appear to be properly followed for each of the receipts tested with no exceptions noted.

Procedure No. 4:

Verify the amounts maintained in the bail account agree to the monthly bank reconciliations and the detail of bail deposits maintained by individual.

Findings:

We verified that the amounts maintained in the bail bank account agreed to the monthly bank reconciliations and the detail of bail deposits maintained by individual without exception. However, the uncashed checks at December 31, 2019 that were over one year outstanding totaled \$2,272.50 for Judge Folchetti and \$5,437.35 for Judge Vercollone. These funds may be subject to unclaimed funds regulations of the State of New York and we recommend that the Town oversee the resolution of these outstanding disbursements.

This agreed-upon procedures engagement was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants. We were not engaged to and did not conduct an examination or review, the objective of which would be the expression of an opinion or conclusion, respectively, on the accounting records of the Town Justice Court of the Town of Southeast. Accordingly, we do not express such an opinion or conclusion. Had we performed additional procedures, other matters might have come to our attention that would have been reported to you.

This report is intended solely for the information and use of the Town of Southeast and is not intended to be and should not be used by anyone other than those specified parties.

EFPR Group, CPAs, PLLC

Williamsville, New York
September 14, 2020

2#4

**TOWN BOARD
TOWN OF SOUTHEAST, NEW YORK**

**LAKEVIEW PLAZA – UBP BREWSTER LLC
RELEASE OF PERFORMANCE BOND**

RESOLUTION NO. _____ / 2020

DATE: October 8, 2020

INTRODUCED BY: _____

SECONDED BY: _____

WHEREAS, the Town Board of the Town of Southeast is in receipt of a report and recommendation from the Town Engineer and referral from the Planning Board with respect to the release of Performance Security posted by Lakeview Plaza (UBP Brewster LLC) in connection with a project development plan for property located at 1505-1515 Route 22, Southeast Tax Map No. 46.-1-1.-1 (the “Subject Premises”); and

WHEREAS, the Planning Board and Town Engineer recommend the release of the performance security posted by UBP Brewster LLC.

NOW, THEREFORE, BE IT

RESOLVED, that the erosion control/site restoration bond posted by UBP Brewster LLC / Lakeview Plaza in the original amount of \$70,500.00 in connection with the Lakeview Plaza Project Development Plan, located at 1505-1515 Route 22, Tax Map No. 46.-1-1.-1 is hereby released and may be cancelled by the issuing institution; and be it further

RESOLVED, that the Town Clerk is authorized to return any and all original bonds, deposits, letters of credit or other indicia of security originally posted in connection with this project to the developer; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to the Planning Board Secretary, the Town Building Inspector and to the property owner forthwith.

UPON A ROLL CALL VOTE:

Councilman Alvarez _____
Councilman Larca _____
Councilman Lord _____
Councilman O’Connor _____
Supervisor Hay _____

VOTE: carried / defeated by a vote of _____ in favor, _____ against; _____ abstained.

TOWN CLERK'S CERTIFICATION

STATE OF NEW YORK)
 : ss.:
COUNTY OF PUTNAM)

I, MICHELE STANCATI, Town Clerk of the Town of Southeast, do hereby certify that the above is a true and exact copy of a Resolution adopted by the Town Board of the Town of Southeast at a meeting of said board held the 8th day of October, 2020.

MICHELE STANCATI
Town Clerk

TOWN CLERK'S CERTIFICATION

STATE OF NEW YORK)
 : ss.:
COUNTY OF PUTNAM)

I, MICHELE STANCATI, Town Clerk of the Town of Southeast, do hereby certify that the above is a true and exact copy of a Resolution adopted by the Town Board of the Town of Southeast at a meeting of said board held the 8th day of October, 2020.

MICHELE STANCATI
Town Clerk

R#4

TOWN BOARD
TOWN OF SOUTHEAST, NY

L.S.A.R. REALTY LLC - LAS MANANITAS RESTAURANT
RESOLUTION ESTABLISHING PERFORMANCE BOND

RESOLUTION NO. _____ / 20

October 8, 2020

INTRODUCED BY: _____

SECONDED BY: _____

WHEREAS, the Town Board is in receipt of a recommendation from the Town Engineer dated September 25, 2020 with respect to the establishment of a performance Bond for the project known as "Las Mananitas Restaurant" on property owned by L.S.A.R. Realty LLC, located at 1250 Route 22 (Tax Map 57.-2-40); and

WHEREAS, upon review of such recommendation, the 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:

PROJECT NAME:

Las Mananitas

BOND AMOUNT:

Site Improvements: \$206,000.00
Soil & Erosion/Restoration: \$ 16,000.00

And be it further, **RESOLVED**, that the Town Clerk shall forward a Certified Copy of the foregoing resolution to the Planning Board Secretary forthwith.

Upon Roll Call Vote:

Councilman Alvarez _____
Councilman Larca _____
Councilman Lord _____
Councilman O'Connor _____
Supervisor Hay _____

VOTE: carried / defeated by a vote of _____ in favor, _____ against; _____ abstained.

TOWN CLERK'S CERTIFICATION

STATE OF NEW YORK)
 : ss.:
COUNTY OF PUTNAM)

I, MICHELE STANCATI, Town Clerk of the Town of Southeast, do hereby certify that the above is a true and exact copy of a Resolution adopted by the Town Board of the Town of Southeast at a meeting of said board held the 8th day of October, 2020.

MICHELE STANCATI
Town Clerk