

TOWN OF SOUTHEAST
1360 Route 22, Brewster, New York 10509
Thursday, March 5, 2020
WORK SESSION / REGULAR MEETING 7:00 P.M.

Pledge of Allegiance

Notation of Exits

Turn Off/Put on Vibrate - All Electronic Devices

Present: Supervisor Tony Hay
Councilman John Lord
Councilman Eric Larca
Councilman John O'Connor
Councilman Edwin Alvarez

Also: Town Clerk Michele Stancati
Town Attorney Willis H. Stephens Jr.

And: 8 Persons

EXECUTIVE SESSION

Supervisor Hay made a motion to open the meeting and go into Executive Session for a contractual discussion. Councilman O'Connor seconded. All in favor.
Supervisor Hay made a motion to close the Executive Session where no decisions were made and Councilman Lord seconded. All in favor.

WORK SESSION

Supervisor Hay made a motion to open the Work Session and Councilman Lord seconded. All in favor.

Discussion – 577 North Main LLC, Special Permit

Bart Lansky, representing his property on 557 Main St, stated it's down the road from Kobackers and backs up to the MTA maintenance lot. He is in front of the Town Board for a Special Permit

to use a portion of an existing building for a kennel and animal hospital. This use is in the ED Zoning district. The function of the business is for dog obedience training, grooming and some overnight stays. There is 3600 sq. feet of space and a fenced in outdoor run. It won't have an impact on the other businesses there and the walls are all insulated for noise. It's a daily operation from 8-4 pm, 7 days a week.

Discussion – Town Highway Superintendent

Highway Superintendent Michael Burdick gave a brief highway update. He sent the Town Board a copy of the 284 agreement with the roads to be paved and adjusted. There are some drainage issues on Tonetta Lake Way which hasn't been paved in 20 years. The drainage on Maple road is almost finished and it will be paved from Schech pools to where the dirt road starts. He stated he has a meeting with the DEP about putting millings on the dirt section of Maple Rd. The Culvert on Welfare Rd. has been put off but we will do that in house. The road will be closed for about 4-6 weeks and we will try to do it when the schools are out. The Superintendent stated that he went to a rally in Albany for the state to continue the CHIPS money and the Extreme Winter Recovery Program. The Superintendent stated it's about \$125,000.00 to \$200,000.00 in funds. Any of the roads we plan to pave next year, we will fix the drainage this year. He's also working on a proposal for Brewster Heights for drainage and paving. A lot of those intersections will be narrowed down. We want to get as much done with the funds that we have and hopefully will not have to go out to bond. Guinea Rd. has a very narrow section, and to fix it we would have to ask the landowner if we could purchase a section of his property.

REGULAR MEETING

Supervisor Hay made a motion to open the Regular Meeting and Councilman Alvarez seconded. All in favor.

RESOLUTION NO. 16 /2020 RESOLUTION ADOPTING LOCAL LAW #2 of 2020

INTRODUCED BY: Supervisor Hay

SECONDED BY: Councilman Alvarez

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 18 of the Town Code to delete members of the Southeast Industrial Development Agency (IDA) from the requirement that certain town officials file financial disclosure statements; and

WHEREAS, the IDA is no longer in existence, so the language contained in paragraph

18-26 relating to the IDA members is superfluous; 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 February 20, 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 welfare of the public.

NOW, THEREFORE, BE IT

RESOLVED, the Town Board of the Town of Southeast hereby adopts Local Law No. 2 of 2020 pursuant to the Municipal Home Rule Law to amend Chapter 18, paragraph 18-26 of the Town Code to delete the reference to members of the Southeast Industrial Development Agency (IDA) as town officials required to file financial disclosure statements, due to the fact that the Southeast IDA is no longer in existence; 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 Aye
Councilman Larca Aye
Councilman Lord Aye
Councilman O'Connor Aye
Supervisor Hay Aye

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

RESOLUTION NO. 17 /2020 RESOLUTION ADOPTING LOCAL LAW #3 of 2020

INTRODUCED BY: Supervisor Hay

SECONDED BY: Councilman Alvarez

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 103-8 of the Town Code to allow for certain vendor permits to run annually from the time the permit is issued; 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 February 20, 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 welfare of the public.

NOW, THEREFORE, BE IT

RESOLVED, the Town Board of the Town of Southeast hereby adopts Local Law No. 3 of 2020 pursuant to the Municipal Home Rule Law to amend Chapter 103-8, paragraphs (C), (D) and (F) of the Town Code to allow for certain vendor permits to run annually on a fiscal year basis from the date the permit is issued; 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 Aye
Councilman Larca Aye
Councilman Lord Aye
Councilman O'Connor Aye
Supervisor Hay Aye

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

RESOLUTION NO. 18 / 2020 RESOLUTION SUPPORTING THE "EMERGENCY FIRST RESPONDERS PRIVACY AND PROTECTION ACT" (S.7280/A.09107)

INTRODUCED BY: Supervisor Hay
SECONDED BY: Councilman Alvarez

WHEREAS, new discovery reform laws were passed in the 2019-2020 NYS Budget that overhauled the discovery process, requiring an expedited timeline to provide materials such as police reports, radio transmissions, body-worn and dash-cam video, along with other data related to prosecution; and

WHEREAS, the current law protects law enforcement personnel by allowing their personal identifying information to be exclude from discovery document and records, but does not include protections for first responders, who in many instances provide service at crime scenes; and

WHEREAS, ambulance services personnel, advanced life support first response

services, certified first responders, firefighters, emergency medical technicians or advanced emergency medical technicians, who are employed by or enrolled members of any such service should also have their personal identifying information protected from discovery, so they are not subject to retaliation or witness tampering; now, therefore be it

NOW, THEREFORE, BE IT

RESOLVED, the Town Board hereby encourages all members of the New York Senate and Assembly to support S.7280/A.09107 the “Emergency First Responders Privacy and Protection Act”; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to Governor Cuomo, Senator Harkham, Assemblyman Byrne, County Executive Odell, Town Supervisors of Carmel, Kent, Patterson, Philipstown and Putnam Valley, as well as the Mayors of the Village of Brewster, Cold Spring and Nelsonville

UPON A ROLL CALL VOTE:

Councilman Alvarez	<u>Aye</u>
Councilman Larca	<u>Aye</u>
Councilman Lord	<u>Aye</u>
Councilman O’Connor	<u>Aye</u>
Supervisor Hay	<u>Aye</u>

VOTE: Resolution passed, by a vote of 5, to 0, 0 abstained.

RESOLUTION NO. 19 / 2020 LIFE STORAGE – 1639 – 1641 Route 22
BOND ESTABLISHMENT

INTRODUCED BY: Supervisor Hay

SECONDED BY: Councilman Alvarez

WHEREAS, the Town Board of the Town of Southeast is in receipt of a report and recommendation from the Town Engineer dated February 10, 2020 with respect to the Performance Security in connection with Life Storage Commercial Site Plan (“Applicant”), for the erosion and sediment control measures for the commercial development on property located at 1639-1641 Route 22, Southeast Tax Map No. 46.-3-13 (the “Subject Premises”).

NOW, THEREFORE, BE IT

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

PROJECT NAME:

Life Storage Commercial Site Plan

BOND AMOUNT:

Site Improvements: \$195,000.00
Erosion/Sediment Control: \$ 21,700.00

and be it further

RESOLVED, that a certified copy of this resolution shall be transmitted by the Town Clerk to the Applicant, Planning Board Secretary and Building Inspector forthwith.

UPON A ROLL CALL VOTE:

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

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

MOTION TO SET PUBLIC HEARING

Supervisor Hay made a motion to set the following Public Hearing to Amend Chapter 123, 138, and A143, Section 123-3- Policy, Section 123-6 – Definitions, ect. (Curbing), to be held at 1360 Route 22, Brewster, NY at 7:00 PM unless otherwise noted. Councilman Lord seconded. All in favor.

MOTION TO SET PUBLIC HEARING

Supervisor Hay made a motion to set the following Public Hearing for a Special Permit at 577 North Main St, to be held at 1360 Route 22, Brewster, NY at 7:00 PM unless otherwise noted. Councilman O'Connor seconded. All in favor.

PUBLIC COMMENT

There was no public comment.

TOWN BOARD COMMENT

Councilman Lord stated that the Earth Day cleanup will be April 25 and April 26. There will be more information to come.

The Village is having a Public Hearing to raise water rates 20 to 25 % on March 18th.

Supervisor Hay stated that we are taking some non-lethal options to deter the geese on our fields and in our parks. Some of them are geese chasers, bird repellent tape, reflective spinners, goose stopper which is not harmful, a drone, adding eggs and putting up a fence. He thanked the Tonetta Lake Advisory Committee and town employees for all their help, and anyone who would like to donate to the cause. The cost for the geese to be deterred is from \$3,000 to \$4,000. The Supervisor is going to ask the County to implement a pet waste and water fowl feeding law which would prohibit people from feeding them. "If they don't consider it, I'd like to consider it here" stated Supervisor Hay.

Councilman Larca asked about the condition of Castle Park and Supervisor Hay stated that it has been delayed, but he will send a letter out and make a request to the developer who is involved.

Councilman O'Connor stated that there's a lot of concern about the coronavirus and there are links on the Town website for information. Make sure you check vetted sources. He wished everyone a Happy St. Patrick's Day.

The Supervisor asked everyone to use caution and common sense with the coronavirus.

Councilman Alvarez made a motion to close the meeting and Councilman Larca seconded. All in favor.

Respectfully Submitted,

Michele Stancati
Southeast Town Clerk