

TOWN OF SOUTHEAST
1360 Route 22, Brewster, New York 10509
Thursday, May 21, 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 - Absent
Councilman John O'Connor
Councilman Edwin Alvarez

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

This meeting took place by videoconferencing, Zoom, and was recorded and posted on the Town of Southeast website. Minutes were taken by Cathy Chiudina.

Present: Supervisor Hay, Councilman Alvarez, Councilman Larca, Councilman Lord, Councilman O'Connor, Town Clerk Michele Stancati, Town Council Willis Stephens

PUBLIC HEARING:

Northwood Tree Care:

The motion to open the Public Hearing for Northwood Tree Care was introduced by Supervisor Hay, seconded by Boardmember Alvarez and passed all in favor.

Supervisor Hay: Eric, can you please let the other people that are here in on this meeting.

Boardmember Larca: Everyone is in at this point.

Supervisor Hay: OK, I see they're muted so they have to unmute. Can you tell them how to unmute their phone?

Boardmember Larca: If you look on the bottom left you should be able to pick mute or unmute. I don't see Peder in and I know he is the representative for this project.

Supervisor Hay: He was there just a minute ago, but he was muted.

Boardmember Larca: Peder, I will try and unmute you if you are calling from a phone. Is that you?

Peder Scott, Architect: I am unmuted and here now.

Supervisor Hay: Peder, do you want to give a quick presentation of this public hearing?

Mr. Scott: Yes, I would. The applicant is at 25 Fields Lane is identified as Lot 78-2.-73 and consists of 18.5 acres in the OP-1 Zone. There is another parcel which is owned by the applicant but that is not part of this submission. The project consists of an expansion of a use consisting of wood mulching, which is

now considered a wood mill use on the property and that consists of a relocation of the wood mulch operation to the southern portions of the site. The area in which it was working originally is being taken over by a soil process and storage company, which is currently a tenant on the site. The wood mulch/wood mill use is limited to 5% of the area of the lot, which equates to about 40,000 sq. ft. of which currently exists and when this project expansion is completed will remain the same size. It's the soil processing component under the light manufacturing use, which will basically be expanding. They will be using the front portion of the property and also a large area in the rear of the site on a second phase of the project itself. So, there are no construction of buildings; an existing building on the property will remain in use that is 7500 sq. ft. It's just creating outdoor areas of processing in compliance with the regulations. The site is completely in compliance with the regs for all the phases and we have completed reviews and a SEQRA Determination from the Planning Board. We're on for an ARB (Architectural Review Board) review for some plantings and signage and at this point in time we're ready to open once we do go to the Planning Board for Final Site Plan Approval. There is one item I'd like to bring up if I may under the special use requirements for a wood mill: we'd like to have this project proceed under the auspices or regulations of the New York State DEC (Department of Environmental Conservation) for storage of mulch material. Why I say that is that the DEC limits unprocessed material and primary grind mulch products to heights of 25 ft., while for finely ground or double ground mulch material the limit is 15 ft. We'd like to move with that to become the basis of our Special Permit from the Town Board. The Planning Board has potentially discussed limiting all mulch products and raw materials on the site to a height of 15 ft. and again, we'd like to go to 25 ft. for the unprocessed wood piles and the primary grind piles. We're remote, not visible from any streets, we're behind Brewster Transit in terms of an adjacent neighbor, and we're sitting on a total of 18.5 acres with an empty site adjacent to it that we own of 19.34 acres, so we have a lot of room, a lot of buffer, and we just need that to address the concerns of our operators who in a storm event get lots of material very quickly, the pile gets up high, but they process it all within 180 days. It's just a requirement for adapting emergency conditions, which take place all the time it seems in the wood mulching business. With that, I complete my presentation. Thank you, gentlemen and ladies.

Supervisor Hay: OK, I guess in the past we have had problems of course here in Town when we've had hurricanes and storms of that nature where they get a whole bunch of materials in at one point. That's when you want the extra 25 ft. height from 15?

Mr. Scott: Yes, that's correct.

Supervisor Hay: Eric, can you tell people how to raise their hand if anyone wants to be heard?

Boardmember Larca: Yes, so if you are logged in you can just unmute yourself and talk or you can click participants and should be able to raise your hand. It should be right next to your name.

Supervisor Hay: Has anyone raised their hand?

Boardmember Larca: No.

Supervisor Hay: Well, Peder, what we're going to do this evening, we will not actually close the meeting, but all for a 10-day written comment period. We will put it on the agenda for June 4, but we're going to allow 10 days for written comment. Does anyone else on the Board want to make comment? Anyone from the public?

Boardmember Larca: There is no comment.

Ms. Stancati: Tony, we need a motion to do that, hold the meeting for the 10-day comment.

Supervisor Hay: I was wanted to ask before I do that.

Boardmember Lord: I have a comment: I listened to the Planning Board meeting and there were concerns by a number of the Planning Board members that the height of the pile should not exceed 15 ft. That was agreed upon by the applicant and his engineer and now it comes to us and they decided to change. I like to hear from the Planning Board.

Mr. Scott: If I could comment very quickly: at the meeting we gave our presentation and the public hearing, at the very end of it, Ashley indicated that they were considering a 15 ft. height for the pile height, but we had never put any limit on the pile height in any of our submissions and, to be candid, we were not prepared to address it at the Public Hearing Zoom meeting that we attended. But, after the

meeting was over, the Hickory Homes, who is running the wood mulch operation indicated that because of the emergency conditions it would be unfeasible to limit our height to that level or it would be difficult to work with.

Boardmember Lord: So, have you had more instances where you have exceeded 15 ft.? I know there was a violation, that's why you were before us so in the recent past have you exceeded 15 ft.?

Mr. Scott: Yes, in fact we currently have a violation because of the difficulty in maintaining that height of 15 ft. and we're here to try and address that. To be candid with you, the extent of this process would be somewhat fruitless because a) we're stuck with the same area we had before and if we're stuck with a height limit, currently we can't comply with it and there is really no way to keep Hickory Homes functioning with such a low limit on our raw materials being deposited on the site.

Boardmember Lord: Ashley, did you want to say something?

Ms. Ley: I did, so the existing property is operating under a special permit and a variance from the 90s and those approvals had a height limit of 12 ft. The Planning Board, when they made their recommendation was actually increasing the height of the piles to 15 ft., which was based on the recommendation from the Town Engineer.

Boardmember Lord: Thank you.

Mr. Scott: If I may, I'm referencing DEC requirements for wood mulching. I'm referencing, if anyone would like to look it up, the New York DEC 361-4.3.

Boardmember Alvarez: Will can comment, but wouldn't you have to redo the Public Hearing for the Planning Board then if we're changing it from 15 to 25 ft.? It's kind of like the cart before the horse: you can't come to us now unless we have the Public Hearing at the Planning Board?

Mr. Stevens: No, the Special Permit application is before the Town Board. There is a referral or a recommendation; it's not even a referral. We have jurisdiction. The Special Permit can be granted or denied, it can be granted with conditions and the Planning Board has issued a recommendation. What Mr. Scott is saying is that the recommendation of the Planning Board is significantly less than what the DEC regulations permit; that's essentially what the argument is here, but there is nothing to stop this Town Board from taking up the Special Permit on the recommendation of the Planning Board or changing the conditions that we deem appropriate. I just want to make sure that answers Edwin's question.

Boardmember Alvarez: Thank you, and again Ashley unless you can think of anything, in my head it doesn't seem like it's such a big deal from 15 to 25, but is there something on the books that makes this a bad idea that I shouldn't consider it?

Ms. Ley: I mean if it seems like it's something that they're going to be able to be more consistently compliant with, then that is an argument to increase the height to 25 ft. The Planning Board was trying to respect some of the original approvals for the property.

Boardmember Alvarez: From the 1990s thought, right? I mean it's been 20-something years; things evolve, things change.

Supervisor Hay: And some of those things have changed and we've all been witness to it. As you know, we've had two major hurricanes in the past 10 years, maybe a little bit longer and as you know there's a site up on Pugsley Road that goes onto Zimmer Road that the County has there there's a whole bunch of trees being dumped up there and buried underground. We have a situation currently on Route 6, which is really not compliant and this property is coming in and trying to be compliant. I do feel there is a necessity for this because of the storms and there are very few areas dump this in our area. Is this going to be turned into mulch and other things as well, Peder?

Mr. Scott: Yes, everything as per the DEC requires that you turn it into mulch within 180 days. We comply with that.

Supervisor Hay: Now, if it's 1 constant 25 ft. and we have a storm, what happens then? Where would this stuff go?

Mr. Scott: Well, we couldn't accept it if we were full at that point in time. Either they mulch like crazy, but typically they keep the raw storage area pretty much empty. I mean historically they work on it all the time to keep it and convert it into mulch because their processing is where they make the money, storing the wood they don't make any money to be candid with you so they're always working to get rid of that

unprocessed wood pile.

Supervisor Hay: But the mulch is 25 ft. and the wood pile would be 25 ft.

Mr. Scott: Only the raw wood would be 25 ft. tall and only single pass mulch is allowed to get that high. You can't use single pass for like distributing to residential areas, that's all double-pass and that is limited by DEC to be 15 ft. tall. We're only talking about a quick knock down that would be limited to 25 ft., just single pass.

Supervisor Hay: OK, before we vote on it I'll definitely contact Tom Fenton why he recommended that, but personally from what I've seen from the past two storms here, it was devastating and there has to be a place to put it here in the Town I would imagine.

Boardmember Alvarez: To your point, the 100-year storms no longer happen every 100 years; they're happening every 3 to 5 years or whatever.

Supervisor Hay: I personally don't have a problem with it, I will just check with Tom and ask why, but I think we could make a good argument as to why it's a necessity. My only concern is though if there's a storm I don't want to hear like we're hearing out on Route 6 who is not compliant and should be, why it continues to go on long after the fact.

Mr. Scott: The applicant would be willing to have conditions that the raw wood would be processed within a certain period of time, we could do that.

Boardmember Lord: There were two members of the Planning Board that seemed to be pretty strongly in favor of 15 ft. and one of them in the minutes said 'that because of spontaneous combustion and mulch fires,' she thought it would be good to limit to 15 ft. She also referenced that a fire protection engineer believes that these operations belong in industrial park settings where there is access to public water supply. So, there are safety concerns and that's why I think the Planning Board thought it was important to limit it to 15 ft.

Mr. Scott: If I may on that last statement, if everyone could go look at New York DEC code on wood mulch operations. It's right on the internet and very simple to find. You'll see the guidelines that they established. We're under 10,000 cubic yards of material as well. We're below even the size that they talk about in the DEC regs, but we are willing and we'd like to follow the guidelines that they've established.

Supervisor Hay: Peder, can you send that to us tomorrow so we don't have to go looking for it?

Mr. Scott: Yes, I will.

Supervisor Hay: When we write it up, we'll write it up accordingly and put it in front of the Town Board. You have five members and with the Planning Board there were seven members and see where it goes. So, again, what we'll do is I will make a motion now to leave the written comment for 10 additional days and put it on the agenda for June 4.

Boardmember Lord: Were there any other items that the applicant wanted to reconsider after the close of the Planning Board meeting because there were discussions about hours of operation. I just want to know because when the Planning Board meeting ended, I thought that everyone was in agreement on the height of the pile. Have you reconsidered the hours of operation or any of the other?

Mr. Scott: The hours of operation that were adopted were the ones we applied for.

Supervisor Hay: And what were they?

Mr. Scott: It's in our Statement of Use.

Supervisor Hay: So, there's no change from the Public Hearing other than going from 15 to 25 ft., is that what you're saying?

Mr. Scott: That's correct.

Supervisor Hay: We did something with the dogs there the other night we made changes accordingly from what they said in the public hearing as well; not from us but from the Planning Board. So, things do change and it's one of the rights of the Town Board to do what they have to do.

Boardmember Lord: So, what are the hours of operation?

Mr. Scott: Hold on, I'm looking them up on the Statement of Use. Monday to Saturday 7:00am to 5:00pm.

Boardmember Lord: I think there was a component that was 9 to 3?

Mr. Scott: Grinding and chainsaw use is limited from 9:00am to 3:30pm.

Boardmember Lord: OK, and the soil processing tenant, what equipment does he use? He's not going to be changing his location or he's going to be moving closer to North Salem Road?

Mr. Scott: What he's doing is he is displacing the area that the wood chipping operation used to occupy and they're moving farther away from the roadway and neighbors. So, he's taking over that area in the front and they use a frontend loader and truck. He has a typical industrial noises equivalent to heavy machinery like either a big truck or a frontend loader. It's the chainsaw and the mulching machine that make a more obnoxious noise and we've moved that farther away from the residential neighbors to the east and we moved it farther away from the road frontage significantly, well over 400 ft.

Boardmember Lord: But the soil processing is closer to the road now?

Mr. Scott: That's correct, it occupies areas right behind an existing building and he's going to take over the area, the entire rear of the existing building now, will be soil processing.

Boardmember Lord: And their hours of operations will be 7 to 5?

Mr. Scott: That's correct.

Boardmember Lord: They're not the 9-3:30, right?

Mr. Scott: They're hours are 7:00am to 5:00pm.

Boardmember Lord: OK, because there were residents that were listening into the Planning Board meeting and they mentioned that the truck and front loader noise were also somewhat obnoxious, especially on weekends. I think they had asked if it could be limited to the same 9-3:30 for those activities.

Michael Galli, Hickory Homes & Properties: If I may, can everyone hear me?

Board: Yes.

Mr. Galli: My name is Michael Galli from Hickory Homes & Properties, I'm one of the tenants on the property and the other operation that you are referring to, Carriere Materials, that's the sand and soil processing part of the operation. I just want to clarify: that operation is not moving any closer to the road than it is currently now existing conditions. It's basically going to be operating in the same area.

Boardmember Lord: Thank you.

Boardmember Larca: Peder, can you say that again about the DEC, you said that their reg is 25 ft. for single pass?

Mr. Galli: Peder, can I clarify that for everyone?

Mr. Scott: Let me do it. I have the regs right in front of me, I'm reading from them. So, what it is is raw material they limit to 25 ft. tall. Single ground material they limit that to 25 ft. There are even photographs on the website of what this stuff looks like in the article for wood mulching in the DEC. Single pass material looks like strands of rope almost. It's a very raw and it's not like you see when you buy a bag of mulch, it's very sinuous. There are a lot of strands in it and what's good about that is it's very stable when you stack it and has a lot of air pockets in it dissipates heat well and that's why they allow it to get 25 ft. tall. It's a double ground material, which has no voids in it and is very dense; that's why they limit it to 15 ft. tall because it heats up and it's what you buy in bags from the roadway.

Boardmember Larca: I just found that picture Peder, I just shared it, so that seems to explain it better for me seeing the picture.

Supervisor Hay: How do you monitor the number of days? I see 180 and 90 days, how is that monitored?

Mr. Scott: Basically, what that means is, if you think about it that's 6 months, but again how we would do it is basically you would go there periodically and see that they're processing material. Again, the intent of this operation is to collect wood, grind it into a process, and it leaves the site. So, to ensure 180 days, I guess you'd go there and look at the wood pile or we could basically have periodic inspections with Mike and some entity of the Town showing how we're mulching that wood.

Supervisor Hay: You're rotating it?

Mr. Scott: Yes, rotations are required as well as part of that is a process, all operators have to take place in.

Boardmember Larca: A few other people have joined the meeting and I think the Public Hearing is still open if we want to get a few of them.

Supervisor Hay: OK.

Boardmember Larca: Give them the opportunity. If anyone is on the phone and wants to speak, you're more than welcome to unmute yourself or if you want to raise your hand so we can acknowledge you. OK, I think we're good there.

Supervisor Hay: OK, I had made the motion earlier to extend the Public Hearing for written comment for an additional 10 days and put it on the agenda for June 4 meeting, is there a second?

Boardmember Lord: Were notices sent out to adjoining property owners?

Ms. Ley: Yes.

Mr. Scott: Yes.

Supervisor Hay: Michele, do you want to make a comment?

Ms. Stancati: No, they were sent out and I do have the copies.

Supervisor Hay: On the motion, roll call vote...

Ms. Stancati: I need a second first, Tony.

Boardmember Alvarez: I'll second.

The Motion to Continue the Public Hearing for Northwood Tree Care for a 10-day written comment period and to place on the agenda for June 4, 2020 was introduced by Supervisor Hay, seconded by Boardmember Alvarez and passed with a roll call vote of 5 to 0.

2019-2020 MS4 ANNUAL REPORT AND STORMWATER MANAGEMENT PLAN:

Supervisor Hay: Tom Fenton, Victoria, and John I know you helped with some of this hear with some of the Earth Day events and everything for this this last year, so of course it is limited to that point in time and John has taken over for this year so he will be putting into that report. Now, what we have to do here because of the time limit, this is to be voted on this evening, which we normally don't do, but it's a general numerous page report, like 40-something pages and it is what it is. Anyone have any comment on it? Is there anyone from the public that would like to speak to this? Any hands up?

Boardmember Larca: No hands up.

Supervisor Hay: OK, I'll make a motion to close the Public Hearing.

Boardmember Larca: I'll second.

The motion to Close the Public Hearing was introduced by Supervisor Hay, seconded by Boardmember Larca and passed all in favor.

WORK SESSION:

Supervisor Hay: We are moving on to the Work Session portion. The first item will be a discussion to Amend Town Code, add Section 38-9. As you know we've had Burn Permits in Town for quite some time and for some reason it's not in our Code. Now, the DEC has regulations. It has to be no burning from March 15 to May 15, which means we can start now. Our Code requires, right now it says 6am 5o dusk. We are changing the Code to 8am because I think 6:00 is a bit too early to burn, so we changed it to 8. There's no burning on Sundays or holidays and we've been doing it forever. Once the Town exceeds 20,000 population, which I'll have to move out of Town so I can come back and burn if it ever goes over that by one because I need to burn on my property because I get a ton of trees and branches that come down all the time. So, it's been in our Town, we've been issuing burning permits pretty much forever. I know Michele just loves this portion of it because we have them lining up at the door to get burn permits to get rid of the brush and that's the gist of it. We've been doing it forever and now it will be in the Town Code.

Boardmember Lord: Tony, what did you say about 20,000?

Supervisor Hay: New York State requires any town or village, once you exceed 20,000 population you can no longer burn or there's a special consideration. Right now, under 20,000 you go and get a permit. I don't know what the regulation is because we are not at 20,000, but it is limited after 20,000 and we're close to it at this point in time.

Supervisor Hay: Anyone comment from anyone else?

Boardmember Larca: The only comment I had was just maybe to point out to the public if they are watching this, that it excludes fit pits and outdoor fireplaces.

Supervisor Hay: OK, it's written in there and was posted on the webpage as well. Outdoor fireplaces; wood, gas, or charcoal grills etc. It's there. Again, we've been doing it forever but now it's going to be 100% legal hopefully. I will put that on the agenda for the next meeting.

Ms. Stancati: Do we have to set a Public Hearing for that to amend the Code?

Supervisor Hay: Will?

Mr. Stephens: That would be a yes. If you're amending a Code you have to have a Public Hearing.

Ms. Stancati: You can do that tonight Tony.

Supervisor Hay: OK, we'll do that next.

Ms. Stancati: When we get to the regular meeting and set the meeting dates.

Supervisor Hay: There is a second item on the agenda that I'm going to put on now so that I'm going to ask to waive the rules to discuss and that's about, as you know with the COVID going on here in Town, many restaurants are under the gun. There are a few here in Town that have come to the Town and requested that we do something, maybe call a Moratorium on allowing outdoor seating. It would have to be controlled maybe by the Building Department to make sure of safety. We are going to discussed briefly with everyone this evening, is to work on something. Ashley, I've asked you here tonight to discuss this. Will, what we would like to do here in the Town to help out the restaurant industry here in Town. Ashley?

Ms. Ley: I can start. So, basically, we would be looking for an administrative review of any new outdoor seating areas or expanded outdoor seating areas of restaurants. Typically if a restaurant was going to be adding or expanding an outdoor seating area that would trigger an Amended Site Plan Review, which can take a few months and it could potentially mean that the restaurant couldn't open an outdoor seating area in enough time to actually to be able to have one this summer. Right now, restaurants are in Phase 3 of reopening, which means if things keep getting better, they could potentially be opening some time in July. So, Will can speak more to the legal aspects of this, but the types of things that we would be including in the administrative review would be fire, safety, ADA access, appropriate distancing between tables, safety barriers such as concrete bollards or planters to protect diners where they are seated and capacity caps. That could be based on how much parking the facility has and the septic capacity of the existing restaurant.

Supervisor Hay: Will?

Mr. Stephens: What I'm suggesting is that we adopt a Local Law, which would declare a moratorium on the enforcement of certain provisions of the Zoning Code that require Site Plan Review in certain instances. I circulated a Notice of Public Hearing to the Town Board earlier this afternoon, which give a basic outline of what it is that we intend to do. The administrative review that Ashley is speaking of would be codified as a temporary permit or license to all outdoor seating under the parameters that we establish. The restaurants that want to avail themselves of outdoor seating where they don't currently have it approved, would have to file an application and it would be reviewed by the Building Department rather than the Planning Board but it would only be for a period of time limited to the period of time that there is still the COVID-19 social distancing requirements and if they wanted to continue to offer outdoor seating after that time they would have to come back to the Planning Board and file a site plan application for their particular property. That's in a nutshell, what we're proposing.

Supervisor Hay: One of the most, I guess the single biggest industry in this area probably would be restaurants. As you know, the 6 ft. distancing is very difficult. I saw on TV the other night, not around here, but a restaurant had seating of 38 and by the time they got done with the social distancing they had 8 and they said there was no way they could survive. If they were lucky, they would get 20 to 25% of their customers. It's not a cure-all but it would be a big help, so I think we owe to our general public and the restaurant industry to see what we can do to help them along.

Mr. Stephens: So, the only action tonight would be to set a Public Hearing date between now and then. Ashley and myself will have an opportunity to coddle together some proposed legislation to do what it is we're discussing.

Supervisor Hay: OK.

Boardmember Lord: If we go ahead with that and have the Public Hearing, maybe if there are no comments that are against it, I suggest that we vote on it at that Public Hearing.

Supervisor Hay: There wouldn't be a need for it because, like Ashley said, with the phases we'll have it in plenty of time. If we act tonight like we're doing, we have the Public Hearing the next meeting, the meeting is shortly thereafter; it can be approved. They wouldn't be able to open before then John anyway.

Boardmember Lord: All right, thanks.

Supervisor Hay: That's why we're doing this tonight so we'll have everything in hand.

Boardmember Lord: Good.

Supervisor Hay: Anyone else? OK, I'll make a motion to go into the regular portion of the meeting.

Boardmember Lord: I'll second.

Supervisor Hay: All in favor?

Board: Aye.

REGULAR SESSION:

Supervisor Hay: I'll waive the reading of the correspondence, approval of the voucher list...oh by the way, Michelle and gentlemen: what I'm going to do is tomorrow send out the list and like I did last time you will each have to sign and forward to the next one.

Boardmember Larca: Yes.

Supervisor Hay: The voucher list is \$1,371,975.40

Boardmember Alvarez: Second.

Supervisor Hay: Discussion? All in favor?

Board: Aye.

Supervisor Hay: I'll send it tomorrow. Setting of meeting dates and public hearings: All meetings for now, now the June 4 meeting, based on the Governor's regulations would be our last Zoom meeting. So, unless he extends the authority to have these meetings happen virtually that would be our last Zoom meeting and we would come back here and do it with social distancing. If it's extended, we will probably

extend it as long as we can and then after that we'll have to go back to normal. So, the next date is June 4 and Thursday June 18. On the June 18 I'd like to set a Public Hearing for Chapter 54 and 138, which we just discussed and what we discussed early about Section 38-9 about the burn permits so they would both be on for the next meeting.

Boardmember Lord: That's June 18?

Mr. Stephens: You had said the 18th but you mean the 4th.

Supervisor Hay: Yes, sorry about that: June 4 Public Hearing. So, we'll notice that tomorrow.

Mr. Stephens: It has already gone to the paper and been accepted.

Supervisor Hay: Both of them?

Mr. Stephens: What was the other one?

Supervisor Hay: The other one was for the burn permits, I missed that.

Mr. Stephens: I will have to try to submit it tomorrow.

Supervisor Hay: OK, thank you.

Ms. Stancati: I need a second.

Boardmember Alvarez: I'll second.

Supervisor Hay: All in favor?

Board: Aye.

Supervisor Hay: Waive the reading of the budget transfers. Number 5 is a resolution Performance Bond for 577 North Main Street

NOW, THEREFORE BE IT

RESOLVED, that the bond amount shall be established for the project set forth below:

Project Name:	Bond amount:
577 North Main Street – Site Plan	Site Improvements: \$14,000

And be it further

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

So moved for discussion.

Boardmember Alvarez: I'll second.

Supervisor Hay: Discussion? All in favor?

Board: Aye.

Supervisor Hay: Number 6 is a resolution authorizing machinery purchase Town Highway and Special Districts Departments:

NOW, THEREFORE, BE IT

RESOLVED, that the Town Highway Superintendent is authorized to expend an amount not to exceed one hundred and ten thousand (\$110,000) dollars for the purchase of a replacement backhoe/loader, the cost of which will be offset by the sale and/or trade of a 2007 backhoe/loader currently in use by the Highway Department; and be it further

RESOLVED, that forty percent (40%) of the purchase price shall be allocated to Special Districts and sixty percent (60%) of the purchase price shall be allocated to the Highway Department, with credit for the sale/trade of the 2007 backhoe/loader; and be it further

RESOLVED, that if the Southeast Superintendent of Highways requires any additional funds above the amount allocated, he will need further authorization by the Town Board to make such expenditure, and be it further

RESOLVED, that this resolution shall take effect immediately.

Levon had a piece of equipment, which is just out of history; it's basically going to be sold for scrap. The other vehicle I have a dollar value and it's kind of a marriage between the two departments to use as a summer piece of equipment because Levon has a use for it, not as much

as the Highway Department. We're saying 60/40, it might be 70/30, but they both agreed to use their funds that were in their budget to make this purchase. Discussion? All in favor?

Board: Aye.

Supervisor Hay: Number 7: we're going to waive the rules officially and that's for the resolution of the 2019/2020 Annual Report and Stormwater Management Plan. So, the first thing is to allow it to be on the agenda. It needs a unanimous vote. All in favor?

Board: Aye.

Supervisor Hay: It passes. And on the motion, itself?

Boardmember Alvarez: I'll second.

Supervisor Hay: Discussion? All in favor?

Board: Aye.

Supervisor Hay: Again, Ashley thank you and we'll thank Tom Fenton tomorrow when I talk to him again. OK, Supervisor Report: You don't have to hear it from me, you can just listen to the radio. Revenues are down all over. Fortunately, we don't get sales tax so we're not going to have a shortfall there. The courts have not been open now for well over two months. The only good news is, last year I had not planned on less courts that happened so we were down a bunch, like about \$125,000, so when I prepared this year's budget, I removed that \$125,000 to keep a balanced budget so that's a good thing. But it's still not going to be good. Recreation, we're opening our beaches on Memorial Day weekend. We got passing grades, got an A+. They worked their butts off to get this ready. We have lifeguards in reserve waiting to get in there, all accredited. A lot of these kids have been working for years. They start when they are in 8th or 9th grade, whenever they get their first lifesaving license. I know one kid was with us; I think he went his entire high school and college career and stayed for one more year and then he moved. They're great kids, they're doing a great job. We're still having a little bit of a problem with the geese unfortunately, but we're working on that as well. The revenue there is a shortfall. We don't know what's going to happen with the basketball season this year what's going to happen with football. Softball, even the Little League right now is not happening. So, the revenue stream, which is not where we get a lot of our money, but any money we don't get is going to hurt. We all have our taxes, the government still has to move on, we still have to pave roads. We have to do what we have to do to keep everything going. On the triangle road up by North Brewster, they call it Tonetta Lake Road; it's not a big road but the drainage...I took pictures of it, it's just amazing how it has rotted away. So, the Town government will continue to move forward, spending out money as wisely as possible but we still have to continue to move forward to keep things going. The revenues are not going to be what we projected. I'm telling you right now, don't ask me until September when I put together the budget to see where we are. I can promise you I will be saving every penny, cutting them in half if it's possible and provide you with a good budget. Right now I can just tell you, we're not bad but it's just in the beginning and we will have to see how things are as we move on. Fortunately we have projects moving forward so the revenues from Planning won't be down as much. Recreation is going to be off by a bunch and so will the courts. Actually the parking will be another one as well. We are issuing credits; we talked to MetroNorth and as of March 15 there is a moratorium that the MTA agreed to because we have a contract with them and we are going to extend permits by an additional 60 to 90 days depending on how long this pandemic lasts and a lot of people will not be going back to work, which is unfortunate but some won't be going back to work because they won't be going to the city anymore, they're going to be working from home. So, we're going to lose some revenue there. We used to have a fairly long waiting list; we were up to maybe 75 or 100 people waiting to get onto that list. So, we're going to take some fairly good-sized hits. I'm not going to project because I don't know, but the parking is a big number for us, recreation is a fairly good number for us, and of course the courts is another number and of course the expenses remain the same. We don't have to pay for court officers because we're not having court, but it's not good. OK, is there anyone in the public that wishes to make a comment? You can raise your hand.

Boardmember Larca: Yes, there's someone.

Scott Seaman, Brewster Board of Education: If I could just say, we would like to thank the Town for

what you're doing right now on behalf of our district and just to let you know we're pushing ahead with the graduation plans for our senior class. We're trying to come up with something that will fit into the rules and we appreciate what the Town has done so far in regards to Mr. Larca putting up the green lights and just getting the word out that we're working on something and anything that anyone can do would be greatly appreciated. Once again, we thank the Town for all their efforts on our behalf.

Supervisor Hay: Thank you, Scott, there's a lot of things on TV about different venues that people are doing. I just saw on the news just tonight, I guess one school had each kid had a caravan and came up in the car and walked up the stage. I think you could learn something and maybe use some of them.

Mr. Seaman: Yes, we're definitely looking at everyone. The big hold up, as you will find, is the State telling you what you are allowed and not allowed to do and for some reason they don't want to tell us. I guess it's a secret, but we're definitely going to go ahead. And, if I could mention, that restaurant idea, I think it's fantastic. Anything you can do for the restaurants, being in that field, is greatly appreciated by everyone so thank you.

Supervisor Hay: If there is a way the Town can help these businesses, we're there to help. If you have something else let us know and we'll take it under consideration and advisement. Town Board members?

Boardmember Lord: Yes, I just want to thank everyone who participated in the Earth Day cleanup for the last few weeks. Lynne Eckardt, for pushed to get that opportunity out there, and I want to thank the Highway Department for picking up the bags and also making the bags available to us. I also wanted to thank Lake Tonetta Heights Community Association; they did a great job as they always do. The Milltown Association, Southeast Democrats; there are people that clean all the time and don't just wait for this. There is a woman, Kathy Jocek, who cleans the Rail Trail and we have a woman who cleans Drewville Road and she doesn't even live in Brewster, but she walks the road everyday or twice a week and picks up litter. So, I thank everyone who is cleaning up the roads and the Town. It's really appreciated.

Supervisor Hay: John, I see you there, I see Eric there, I see Will there and his family. Antonia, which is Eric's daughter, she is going to be out there next year; I think she's a little bit too young this year but we're going to get her a little scooper to help out. On the Town Website there is Earth Day Volunteers and Beyond because these people do it many, many days – John only touched on a few – so we identified what roads were cleaned and who did it. There are quite few, the list is endless. So, just go to the site and see what roads were done and we thank all those that participated. Anyone else?

Boardmember Lord: Thank you Tony also for making the bags available, taking phone calls, keeping the list, and thank you.

Supervisor Hay: I'm going to close tonight thanking all the people out there. Considering the situation that's going on I think we're doing a great job, the public. I know Town Hall is open here pretty much every day. People are pretty much respectful except for one portion of the Town, which I won't mention, but most people are very nice. We have a lot of out of towners here that have to use our courts and they just don't get that they are closed. It's something the State has done and it ruins my day many days, but I guess it's part of the job so they tell me. I wanted to ask everyone; the County is looking for contact tracers. In other words, anyone that's been in contact with Corona Virus; there's a course that they have to take, it's a 4-hour course, and we're looking for volunteers. I put out a word today to our Town employees. Some have possible time because they're not working a full day; I identified and asked them if they would step forward. If anyone in the public is willing to volunteer to do that. Basically, you would make phone calls, trace out if a person has it and find out who did they contact. In order for this to move to the next phase, to get fully operational here in the State, every Town and every County has to do this. I know right now there is a shortfall in the numbers so contact tracer is a 4-hour course that you would take on the internet. You make phone calls and if anyone has the

time please give me a call 279-5345; it's volunteer time. Some of you seniors out there, it might be a good thing. I know you've had a tough time out there; you're locked in your house; well guess what? We think maybe it's a good time for you to step forward. I think what I will do tomorrow is talk to Patty and get the list and start calling the seniors and ask if they would like to volunteer because they would be the best ones to possibly do it. They have a little bit more time than us and they can't do much of anything else and I do apologize for that and as soon as we can get you back to Lakeview we'll get you there, but it's going to be a while yet to go.

Boardmember Alvarez: I just want to wish everyone a happy and safe Memorial Day weekend

Supervisor Hay: Second that along with everyone else. I'll entertain a motion.

The motion to close tonight's meeting was introduced by Boardmember Alvarez, seconded by Boardmember Lord and passed all in favor.

Supervisor Hay: Thank you all for coming.

June 18, 2020/CAC

THE FULL ZOOM RECORDING OF THIS MEETING IS AVAILABLE AT:

<http://www.southeast-ny.gov/370/Town-Board-Zoom-Meeting-Videos-Starting->

CORRESPONDENCE

Correspondence Received:

1. Bart Lansky Esq. to Town Board Re: Special Permit App. Kennel Use, 577 No. Main St.
2. Michael Burdick, Hwy Superintendent to TB Re: Fund Request for Highway Garage
3. Pure Ins., to TOSE Re: Homeowners Policy, 214 Dingle Ridge Rd
4. Acord to TOSE Re: Certificate of Liability Ins.- Willis Towers Watson Northeast Inc.
5. Comcast to TOSE Re: Continuation of Services During COVID-19 Emergency
6. Comcast to TOSE Re: Moving Certain Programming Services Postponed
7. Acord to TOSE Re: Certificate of Liability Ins. – VRI Environmental Services
8. Cullen and Dykmam LLP to TOSE Town Clerk Re: Complaint on Tentative Special Franchise-New York American Water Co.
9. Milltown Resident To Town Re: Neighbors Unleashed Dog, 223 Milltown Rd.
10. Teamsters Union Local No.456 to Town Re: COVID-19 Temporary Waive Contractual Requirements
11. Federated Ins.to TOSE Re: Notice of Nonrenewal – Burke Electrical Contractor Inc.
12. NYS Office of The State Comptroller Re: Invoice, Justice Court Fund
13. Town of Bedford Supervisor, Chris Burdick to Senator Peter Harkham and Assemblyman Kevin Byrne Re: Proposed Pro Swing Sports
14. Mr. & Mrs. C. Moro to Supervisor Hay Re: Fire Hydrant Flushing- Holly Stream Condos
15. Acord to TOSE Re: Certificate of Liability- Brewster Carmel Garden Club
16. Acord to TOSE Re: Certificate of Liability- BBL Albany Group V
17. Acord to TOSE Re: Certificate of Liability- ABC Sign Corporation
18. City of Danbury to Town Clerk Re: Petition of SC Ridge Owner LLC- Application for Zone Change–100 Reserve Rd.
19. Federated Ins. to TOSE Re: Notice to Resind Nonrenewal Burke Electrical Contractors

20. NYS Dept. of Transportation to NYS Dept. of State Re: Designation of Restricted Highway Contract Signal Installation – Wireless Vehicle Detectors
21. City of Danbury to Town Clerk Re: Public Hearing 6/9/2020 Zoning - D&B Wellness
22. Mount Kisco Village Mayor, Gina Picinich to Senator Harckham and Assemblyman Kevin Byrne Re: Municipal Home Rule Legislation to Permit Sports Facility
23. Comcast to TOSE Re: Programming Contract Renewal Website
24. Comcast to TOSE Re: Programming Changes
25. NYCDEP to Jennifer Ross. NYSDEC Re: Safety Inspections: Croton Falls Diverting Dam, Bog Brooks, Sodom Dam, Middle Branch Dam
26. NYSEG to Town Re: Honors Healthcare Professional Parade
27. Lisa Katz to Sen. Peter Harckham and Assemblyman Kevin Byrne Re: TOSE Town Bd. Res.
28. Acord to TOSE Re: Town of Southeast Insurance Binders
29. Tom Fenton to Supervisor Hay Re: MS4 Annual Report
30. Comcast to TOSE Re: Update Regarding Price Changes
31. Legislator Paul Jonke to Kevin Addor cc: TOSE Re: Land Swap
32. Acord to TOSE Re: Certificate of Liability Action Fuel Oil Corp.
33. Grant Writing USA to Town Re: 2 day Grant Training on Zoom 5/26 & 5/27/20
34. Betsy Cerone Deputy TC to Suburban Carting Re: Leaf Bag Pickup
35. Acord to TOSE Re: Certificate of Liability – United Way of West. & Putnam Inc.
36. Stateline Retail Center to Town Re: Zoning Bd. of Appeals Notification Letter
37. PC Dept. of Finance to Supervisor Hay Re: Information for Computation of Underlying & Overlapping Debt.
38. Brown & Brown Ins. to Town Re: Endorsements for Business Auto - Umbrella/Excess and Package Policies
39. EOH to Supervisor Hay Re: Installation Agreement for Stormwater Retrofit Project SE-EB-715
40. Acord to TOSE Re: Certificate of Liability Re: Guy Roofing, Putnam Property Mgmt.
41. Acord to TOSE Re: Certificate of Liability and Workers' Comp. Pizzella Brothers Inc
42. Acord to TOSE Re: Certificate of Liability Algonquin Gas Transmission
43. NYS EFC to Supervisor Hay Re: 3/30/20 Balance, Clean Water State Revolving Fund
44. Unlimited Care Inc. to TOSE Re: Requesting assistance obtaining necessary PPE supplies
45. Warren Lucas to Peach Lake Sewer Dist. Comm. Re: Requesting Advisory Bd.of the Peach Lake Sewer District
46. Acord to TOSE Re: Certificate of Liability Ins. Re: Cable Communications, LLC

Foils:

- Rose D'Angelo to Building Re: Permits, CO's -118 Enoch Crosby Rd.
- Al Romano to Building Re: Septic System- Tax Map.# 45.68-1-21
- John Hogan to Building Re: Surveys, 71 Tulip Rd.
- Jerry A. to Building/Town Historian Re: 188 Joes Hill Rd.
- Eileen Miller to Building Re: Contact Information - 374 North Salem Rd.
- Joe Scapoli to Planning, Building, Fire Dept. Assessor Re: Property Info – 465 North Salem Rd.
- Dajuan Blake to Building Re: CO's Land Deed- St Andrew's Church, 26 Prospect St.
- Chris Caralyus to Building Re: Survey, Septic -8 Shailin Lane
- Daniel Liptak to Assessor Re: Building File, Property Card – 53 Crosby Ave.
- Lyndel Robertson to Building Re: Building File -188 Joes Hill Rd.
- Diane Dolinsky-Pickar to Building Re: Survey - 176 Turk Hill Road
- Chris Caralyus to Building Re: File 8 Shailin Lane

- Dena Hikey to Building RE: 66 Hillside Park
- Krista Brady to Building Re: 11 Andrea Dr.
- John Medina to Town Re: Speeding Ticket/Court Date
- Ann Fanizzi to Michele Stancati Re: letter of Alienation of Pugsley Rd.
- Vera Karaqi to Building Re: 2555 Carmel Ave.
- Donald Curran to Michele Stancati Re: Fast Lane Quick Lube, ZBA Record
- Alan Lichtenstein to Building Re: Improvements-113 Foggintown Rd.
- Diana Guaranga to Building Re: Addition plans-8 Woodlawn Dr.
- Jonathan Lorenzo to Building Re: Co's, Septic Permits - 2555 Carmel Ave.
- Laurie Mainey to Building Dept. Re: Co's, Violations, Plans-70 Indian Wells Rd.
- Eileen Field to Building Re: Property Owner Info Re: 374 North Salem Rd.
- Bettina Aguilar To Building Re: Survey 128 Blackberry Dr
- Cory Johnson to Building Re: Building File 23 Bloomer Rd.
- Paul Lynch to Building Re: Plans- Tax Map # 80.5-1-3
- Jay Fan to Building Re: Violations, Septic-188 Joe's Hill Rd
- Pat to Building Re: Building Info, 584 Milltown Rd.

Emails:

1. Michael Levine Building Insp. To Supervisor Hay Re: Residential Complaint/shutdown of non-essential work – Scenic Ridge Rd.
2. Heather Ostman, Resident to Supervisor Hay Re: Offer to volunteer
3. Linda McCarthy to Town Clerk Michele Stancati Re: Death Certificate Info.
4. Kayleigh Westermann, to Michele Stancati Re: Code Update #12 Complete
5. Jamie LoGiudice, Insite, Eng. to Michele Stancati Re: TB Res.2/27/19 - FWL Group
6. Linda Yoo to Michele Stancati Re: Marriage License Search
7. Gene Rosaforte to Michele Stancati Re: Essential/Non Essential Lawn Maintenance
8. Sobo & Sobo to Michele Stancati Re: Request for Police Accident Report
9. Gabrielle Duke Village of Brewster to TOSE Re: Hydrant Flushing
10. Supervisor Hay to TB Re: PC Health Dept. – 30 & 31 Seven Oaks Lane
11. Craig and Deborah Cole to TB Re: Starr Ridge Open Space Land Swap
12. Thomas LaPerch to Supervisor Hay/TB Re: Letter Requesting temporary stop order lift
13. Andrew Bowman To TB Re: TOSE Land Swap
14. Susan Planamento to Michele Stancati Re: Burning Brush
15. Julia Famularo PC Bd. of Elections to Cathy Croft Re: Early Voting Postponed to 6/23/20
16. Supervisor Hay Shawn Rogan PC Dept. of Health Services Re: 2 TOSE - PC Bike Paths Closed
17. Joe Roenitz to TB Re: Open Space Land Swap – Starr Ridge Rd.
18. Carmine Labriola to Michele Stancati Re: Request for Food Truck Application
19. Patti O'Neill to Michele Stancati Re: Leaf bag collection
20. Supervisor Hay to Molly Northrup Re: Forwarded inquiry to TOSE Courts
21. Plin Mononi to TB Re: Requesting designated area for leaves and yard waste
22. Remi Barbier to TB Re: Open Space Land Swap – Starr Ridge Rd.
23. Emmy Tromp to TB Re: Open Space Land Swap – Starr Ridge Rd.
24. Christine Meister to TB Re: Open Space Land Swap – Starr Ridge Rd.
25. Jerry Skalaski to TB Re: Non Essential Work & Violation Complaint – 5 Shady Lane

26. Mayor of Brewster, Jim Schoenig to Levon Bedrosian Spec. Dists. Re: Water Rates
27. Supervisor Hay to U.S. Bank Trust, N A Re: Notifying wind damage-31 Manor Way
28. Supervisor Hay to NYS DOT Lance Macmillan Re: Traffic Light Queuing, Rt.6/Starr Ridge Rd.
29. Caroline Thomson to Supervisor Hay Re: False Fire Alarms
30. Gina Loprinzo To Michele Stancati Re: Marriage Certificate
31. Supervisor to TB, Building Insp. Michael Levine Re: Barking Dog Complaint
32. Town Att. Willis Stephens to TB Re: Reply Dog Complaint
33. Kim Santucci to Bonnie Colombo, Building Dept. TB Re: Shady Lane formal complaints
34. Bradley Schwartz to Supervisor Re: Wood Chips in Starr Ridge Manor
35. Michael Kopansky Avangrid to Planning, Victoria Desidero Re: Mailing/MS4 Bond
36. Jay Ryan to Supervisor Hay Re: Town Clean Up
37. Willis Stephens Jr. to Audine Settgest Re: Letter of Cease and Desist
38. Michael Levine to Tom Fenton, TB Re: Response to Questions, Scenic Ridge
39. Margaret Gaffney-Ryan to Michele Stancati Re: Genealogy Marriage Certificate
40. John Karell to Tom Fenton, Willis Stephens, Michael Levine Re: Maffei Wetland Permit
41. Assessor Laurie Bell to TB & Bd. of Assesment, Re: Tentative Assessment & Grievance Day 5/26/20
42. David Leun to Supervisor Hay Re: Phone call Follow-up Peach Lake Inquiry
43. Terry Bell to Levon Bedrosian, Village of Brewster Michelle Chiudina, Re: Water Quality
44. Supervisor Hay to Michael Levine Re: Quad riding violations, 116 Cobb Rd
45. Richard O'Rourke to Supervisor Re: Letter of support from Village of Mt. Kisco
46. Lisa DeRose, Supervisor, Beth McKinney Re: 31 Seven Oaks La & 10 Andrea Dr.
47. Lisa DeRose to Supervisor Re: Property Follow-up, 10 Andrea Drive
48. Warren Lucas to Supervisor, Michael Levine Re: NYS Pause Constituent Concern
49. Abe Kuruvilla to Supervisor Re: Water
50. Kavid Leun to Supervisor and Warren Lucas Re: Phone call follow-up Peach Lake Inquiry
51. Plin Manoni to Michele Stancati Re: Designated Area
52. Pam to Town Board Re: Litter Ace Endico/Zimmer Rd
53. Judith Lynch to Supervisor Re: Derelict Houses on North Brewster Rd & Rte 312
54. Carol Franczak to Victoria Desidero Re: Final Site Plans
55. Kevin Addor to Putnam Co Legislature Re: Paul Jonke-Baseball Complex
56. Steve Coleman to Planning and TB Re: Stateline Retail/Restaurant Depot Wetland Review
57. Mike Maffei to Supervisor Re: Milltown Rd. Property
58. Stephen De Meo to Supervisor Re: Water Main Break
59. Andrew Urizzo to Betsy Cerone Re: Urgent Parking Violation Statement
60. Alessandro Mazzotta to Supervisor Re: Electric Bid
61. Jennifer Cassidy to Supervisor Re Missing Historic Marker, Milltown Rd & Stateline Rd.

Sent:

1. PC Supervisors to PC Elected Officials Re: Covid-19 shortage of supplies and Testing
2. Michael Levine to NY Dept. of State Building Standard Codes Re: TOSE Annual Code Enforcement Activities
3. Laurie Bell to NYS Dept. of Tax and Finance Re: Municipal Report of Special Franchise Activity
4. Michael Levine to Commercial/Residential Owners Re: False Fire Alarm Warnings & Violations
5. Gerald Schramek to Connie & Charlie Williams Re: Notice of Violation 299 Tonetta Lake Rd.
6. Gerald Schramek to Poccia Family Trust Re: 64 Peaceable Hill Rd.
7. Supervisor Hay to NYS DOT Re: Traffic Light of Rout 6 & Starr Ridge Rd.
8. Supervisor Hay to Home Depot Re: Letter of Gratitude for Donation of Respirators
9. Supervisor Hay to PC Legislatures Paul Jonke & Carl Albano Re: Brewster Fire Dept. False Alarms
10. Supervisor Hay Letter of Verification of Employment Re: Evening Park Monitor for TOSE
11. Michael Levine to Luis & Zaira Sanchez Re: Notice of Violation 20 East Hollow Rd.
12. Supervisor Hay to The Stephens Law Firm Re: Letter of Consent for EFPR Group CPA's
13. Supervisor Hay to DePaola Valdes Re: Letter of Consent for EFPR Group CPA's
14. Supervisor Hay to Richard Vercollone Re: TOSE 2019 Income Verification
15. Supervisor Hay to All Department Heads and Employees Re: Comp/OverTime
16. Supervisor Hay to EOHWC Re: Purchase Mowing Tractor
17. Thomas LaPerch, Chr, Planning to Chazen Co. Re: Escrow Acct.-Gasland Southeast
18. Thomas LaPerch to Jamie LoGuidice Re: Escrow Acct. Stateline/Restaurant Depot
19. Thomas LaPerch to John Folchetti Re: Escrow Acct. Las Mananita/LASR Realty
20. Thomas LaPerch to Bill DeBonis Re: Escrow Acct. Lyons Dev./Brewster Bus.Corp.
21. Thomas LaPerch to Peder Scott Re: Escrow Acct. Eurotec

RESOLUTION NO. 32 / 2020 577 NORTH MAIN STREET LLC ESTABLISH PERFORMANCE BOND AMOUNT

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 and referral from the Planning Board with respect to the Performance Security to be posted by 577 North Main Street LLC in connection with a site plan application relative to property located at 577 North Main Street, Southeast Tax Map No.

56.19-1-40.2 (the "Subject Premises"); and

WHEREAS, by letter dated May 5, 2020 from the Town Engineer and Planning Board Report it is recommended that the performance security for the Subject Premises be established for this project.

NOW, THEREFORE, BE IT

RESOLVED, that the bond amount shall be established for the project set forth below:

PROJECT NAME:

BOND AMOUNT:

577 North Main Street – Site Plan

Site Improvements \$14,000.00

And be it further

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

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

**RESOLUTION NO. 33 / 2020 AUTHORIZE ADDITIONAL EXPENDITURE
TO PURCHASE HIGHWAY EQUIPMENT**

INTRODUCED BY: Supervisor Hay
SECONDED BY: Councilman Alvarez

WHEREAS, the Town Board is in receipt of a recommendation dated May 15, 2020 from the Highway Superintendent for the proposed purchase of an item of heavy equipment (Backhoe / Loader) to be used jointly by the Highway and Special Districts Departments; and

WHEREAS, the cost for the purchase of such equipment shall be offset by the sale of the Highway Department's 2007 Backhoe / Loader; and

WHEREAS, it is found and determined that there are sufficient funds available and

allocated for the proposed purchase within the 2020 Highway Department and Special Districts Budgets and will not require issuance of bonds or notes for the purchase thereof.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Highway Superintendent is authorized to expend an amount not to exceed one hundred ten thousand (\$110,000) dollars for the purchase of a replacement Backhoe / Loader, the cost of which to be offset by the sale and/or trade of the 2007 Backhoe / Loader currently in use by the Highway Department; and be it further

RESOLVED, that forty percent (40%) of the purchase price shall be allocated to Special Districts and sixty percent (60%) of the purchase price shall be allocated to the Highway Department, with credit for the sale / trade of the 2007 Backhoe/Loader; and be it further

RESOLVED, that if the Southeast Superintendent of Highways requires any addition funds above the amount allotted, he will need further authorization by the Town Board to make such expenditure; and be it further

RESOLVED, that this resolution shall take effect immediately.

Upon 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.

MS4 ANNUAL REPORT

RESOLUTION NO. 34 **DATE:** May 21, 2020
INTRODUCED BY: Supervisor Hay
SECONDED BY: Councilman Alvarez

WHEREAS, the Town of Southeast is considered a Municipal Separate Storm Sewer System (MS4) GP-0-08-002 because of its location within the New York City drinking water supply watershed; and

WHEREAS, the Town is required to prepare an annual report detailing its activities pursuant to the MS4 Regulations; and

WHEREAS, on May 21, 2020 the Town Board held a public hearing to hear and consider public comment on the Town's 2020 MS4 Annual Report prepared pursuant to the requirements of the MS4 regulations.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Southeast hereby adopts the 2020 MS Annual Report prepared by on the Town's behalf and hereby authorizes that such document be filed with the appropriate authorities as may be required by law.

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

Respectfully Submitted,

Michele Stancati
Southeast Town Clerk