

TOWN OF SOUTHEAST
1360 Route 22, Brewster, New York 10509
Thursday, July 23, 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.

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 H. Stephens Jr.

WORK SESSION

Commercial Shooting Ranges – Chapter 138

Supervisor Hay: First item on the agenda is a work session for commercial shooting ranges – Chapter 138. We received the final comments, which was open to the public; I think Sunday was that one and were official comments. All comments received by the Town will be in an official record. The ones that were received prior to Sunday are on the actual record but Michele what is the other one considered, correspondence?

Ms. Stancati: They will be in the correspondence, the in the minutes to the meeting.

Supervisor Hay: OK, very good. We had a public hearing on July 9, two weeks ago. Quite a few people from the public got up to speak considering the shooting ranges. There were a wide variety of comments. I believe the majority of them did not have a problem with an indoor shooting range but there were some that had a problem with outdoor shooting ranges. So, after that meeting I contacted the Town Planner and said 'based on those comments to make a revision.' So, what we have tonight in front of us is the original draft, red version, which I will let maybe John O'Connor speak to and then a redraft which I can speak to. Now, between the five of us we have to come up with a consensus of at least three votes in the end as to what draft we accept. John, would you like to start?

Boardmember O'Connor: Yes, sure. First of all I would like to say that my original intent to this was that I looked at this Chapter 138 definition of recreational exclusions and I thought it was pretty broad and I think it applied to both residential and commercial zones and you and I had discussed that back when we

first looked at this in January. I think now that we're back into a work session I'm looking to see that we really should be not just focusing on one particular item in there, but actually reducing the broad legislation that actually excludes a lot of different types of recreation there and trying to move forward with a construct that we can actually work on together.

Supervisor Hay: Some of that is, I think, been addressed in the new draft.

Boardmember O'Connor: Yes, right, some of it has, yes.

Supervisor Hay: OK, so why don't you maybe deal with the ones that have not.

Boardmember O'Connor: OK, for instance I think we did get a lot of write in on both indoor and outdoor uses for as an example the shooting range and I think the majority of the concern was really regarding noise levels or potential noise levels and I know in the red version that you had provided you had taken outdoor ranges completely out of it and left the indoor range. However, there was also I believe a section where the indoor ranges would require a minimum of 1500 ft. distance, am I correct on that?

Supervisor Hay: Yes, but that was kind of with the indoor/outdoor and it should have been 1000 but yes. That change can be made easily.

Boardmember O'Connor: I think indoor it shouldn't have any kind of restriction as far as the distance is concerned. If it is wholly contained in a building there are numerous examples and I can even take you on a field trip to see one, but there is no sound coming out of the building. So, if the only problem with that was a matter of noise abatement, it's already self-contained in the building so I don't understand why there would even be a 1000 ft. minimum distance.

Supervisor Hay: Well, the purpose of that and I honestly believe it should be in the Code, any commercial to residential – not even just shooting ranges – should have a greater buffer than the current one, which is like 500 ft. There's an area here in the Town of Southeast where there's a lot of residential and it abuts right up to commercial and I think there should be a wider buffer between commercial and residential; so it's not just the shooting ranges.

Boardmember O'Connor: OK. Well, I would say that I don't think it needs to go that far. I think there are plenty of examples where you could actually get attestation to the fact that there is no sound and I still go along with if we're talking about a sound issue and there is no sound issue that excessive setback is not really in the best interest so that's what I have to say about that.

Mr. Stephens: Could I make a point real quick, John?

Boardmember O'Connor: Yes, sure, please.

Mr. Stephens: I think what Tony is referring to is that there are built in our Code currently, enhanced setbacks when commercial districts abut residential districts and that is a building setback, meaning you can't have a building within 100 ft. or whatever, so I don't know whether there should be a further enhanced setback in the instance of shooting ranges that are indoors, but commercial building setbacks would apply, would they not Ashley?

Ms. Ley: I believe they would. It's not in all districts, but yes, if it was located in one of the districts that had that condition, yes.

Boardmember O'Connor: OK, in looking at the original law and the way it was written back in 2017, I guess were adding a section that's now labeled...because it first spelled out recreation and then there was a second section that created residential recreation and then I believe there was a third section for small business recreation. So, now the original section just stating recreation, which I guess would apply to any type of zone, is not being restructured to commercial; am I correct with that?

Ms. Ley: Yes, these correspond to the uses that are listed in the Use Table. So, previously there was a use type called recreation and now that's being clarified as recreation commercial. So, anything that would be recreation commercial would be allowed in commercial districts and anything that recreation residential is a type of commercial residential use or not-for-profit recreation use that's allowed in a residential zoning district so that should be things like a Little League field.

Boardmember O'Connor: Gotcha, OK, and then we're taking other activities like for instance archery seemed to have been completely excluded from Town Code, it was made completely illegal except on

private property. So, that's now being moved from the original two locations into the shooting range location exclusively?

Ms. Ley: Yes, so all actual weapons like guns and archery, would fall under the shooting range which would be a new use that would be allowed in several commercial zoning districts.

Boardmember O'Connor: OK.

Ms. Ley: Things like indoor laser tag would be allowed in a recreation commercial use, in commercial zoning districts.

Boardmember O'Connor: OK, so I think a lot of that is better certainly than the way it was previously written. I think calling it commercial recreation now instead of a blanket recreation I think that does define it a lot better, but I do think we need to work on the setbacks. Can you answer what the normal setback is in a regular commercial zone for most activities?

Ms. Ley: There are variable setbacks in each zoning district. I think the smallest setbacks are around 20 ft. in some of the smaller lot zoning districts up to 100 ft. in the larger lot zoning districts.

Boardmember O'Connor: OK.

Ms. Ley: And then certain special permit uses have enhanced setbacks.

Boardmember O'Connor: What is currently, if you know off the top of your head, the largest distance enhanced setback right now? Do you happen to know?

Ms. Ley: I don't.

Mr. Stephens: The largest front yard setback is 100 ft. and the largest side setback is 100 ft. depending on the use group.

Mr. Ley: There are certain special permits that have larger though. I think some of them may go up to 500 for special permit. I'm going to look that up though.

Supervisor Hay: Again, my biggest concern about this is commercial to commercial abutting can be less. I'm just asking that anything commercial to residential be greater.

Mr. Stephens: We could build that into the Code so that if a particular piece of property is commercially zoned but abuts a residentially zoning parcel, that the building setback in that instance would be enhanced to 200 or 300 ft. whatever is considered appropriate. But, again, as John made a very good comment, if these indoor facilities are indoor, fully contained, and all you need to do is go to the Paladin Center in Carmel and see that you can't hear anything outside that building.

Supervisor Hay: That's understandable, it is.

Boardmember O'Connor: I know she's looking it up right now and I appreciate that Ashley, so if our most common enhanced setback is 100 ft. I don't know why we going 15 times that for something that is...

Supervisor Hay: Well again, when that was written in there it was indoor/outdoor and didn't get changed when it went back to just indoor.

Boardmember O'Connor: OK.

Supervisor Hay: So, what is everyone's pleasure?

Boardmember O'Connor: Well if it's only contained in a building I think certainly something a lot smaller would be more appropriate.

Supervisor Hay: Give me a number and see if we can agree.

Boardmember Alvarez: I was going to suggest 500 when I speak later on.

Supervisor Hay: I would say 500 as well.

Boardmember O'Connor: Indoor?

Boardmember Alvarez: Yes.

Supervisor Hay: Again, it's not just for shooting ranges, I'm going to look to this in the future with anything commercial up against residential.

Boardmember O'Connor: So, if it is not abutting residential then...

Supervisor Hay: It could be less.

Boardmember O'Connor: It could be less.

Supervisor Hay: Yes, so we can write in there if it's commercial to residential it's 500 and commercial to commercial – pick a number.

Boardmember O'Connor: Do we have any of those zones that are just completely up against commercial.

Ms. Ley: Most of the zones abut some form of residential because they are all along the corridors. As soon as you get beyond the corridor, like along the Route 22 corridor the adjacent zoning districts are residential zoning districts.

Mr. Stephens: But it would be the lot that would be considered for one of these setback considerations and not necessarily the district. If the parcel that is being considered is not abutting a residential zone it would be the normal commercial setback, but if that parcel does abut a residential property it would be the enhanced setback.

Supervisor Hay: OK.

Ms. Ley: Just to answer the question for setbacks: the largest setback I'm seeing as a special permit condition is 300 ft. and that applies to schools, motor vehicle service stations and houses of worship need to be 300 ft. from the property line.

Supervisor Hay: Any kind of activity?

Ms. Ley: It's a variable depending on which one of these uses we're talking about, but it's generally 300 ft. For example: houses of worship it's 300 ft. to the property line, for motor vehicle service stations it's to specific features like the reservoir.

Mr. Stephens: Is that 300 ft. regardless of where that use is located?

Ms. Ley: Yes, it's special permit criteria for houses of worship.

Boardmember Lord: I would prefer to keep the distance 1000 ft. and I would also...well this is in your section C, operation of shooting ranges: I would want it to be that distance, at least 1000 ft. from any entrance or property line to a school, daycare center, church, hospital, park, or any residentially zoned property. That would be my preference.

Supervisor Hay: OK.

Mr. Stephens: With the setback, that would be a distance parcel to parcel so we can't have a shooting range within 1000 ft. of a school; that's from the edge of the parcel to where the school is located. It's not the setback of the building, we're talking about indoor shooting ranges, it's the building from the property line.

Boardmember Lord: Understood.

Supervisor Hay: Edwin, are you still good with 500?

Boardmember Alvarez: I'm good with 500, yes.

Supervisor Hay: I am as well.

Boardmember Alvarez: I only saw the redline version you sent out the day after the public hearing, that's the only thing I'm referring to for tonight. If there is another version out there, I haven't seen it yet.

Supervisor Hay: It's part of your backup.

Ms. Ley: The version that's in the packet corrects the typo that you found on that earlier version about the hours of operation.

Supervisor Hay: Edwin, your packet is WS-1A.

Boardmember Alvarez: I'm guilty of not printing today's packet out. I printed out earlier so I apologize ahead of time. Just bear with me and if I become redundant then you let me know if it has been changed or not. I think at the last public hearing, Tony, I believe and I'm paraphrasing so correct me if I'm wrong; I think you started off the meeting letting everyone know that unfortunately there was a mistake made when we did this in 2017.

Supervisor Hay: Yes.

Boardmember Alvarez: I'm just trying to correct that. My recollection of what we were voting for that night was just I believe they wanted to do something to do with paintball in a residential area, right around Milltown, and that's what we were I believe voting for that night to exclude paintball from being in residential areas. I don't think the intent was, of course, to eliminate the shooting ranges but I think that's what happened. So, I'm guilty if that occurred on my watch so I apologize. I called another person that was on at the time just to say 'do you recall this?' and they have no recollection of really voting to eliminate the shooting ranges as well. That being said, I don't think that any of us are disputing here that

shooting ranges shouldn't be in a residential area so I think the only thing we should be discussing is if they are on commercial property. That being said, I think that a lot of people have weighed in and noise is really the big factor and my understanding is that there are new technologies, there are new ways to abate noise or mitigate noise based on the technology so I don't see any reason why shouldn't be able to explore that. I'd hate to immediately dismiss it. Let's discuss it, let's explore it. That's something that we can have the Planning Board vet and I think like Will or Ashley say we can have that written into the Code somewhere – for anyone to do X, Y, Z these would be the requirements before you do that and I think that would be fair. It would help mitigate things. If we're really going to argue about absolutely no shooting ranges then at least I would say that we should make allowances for either laser or paintball or archery as an outdoor activity; that doesn't really have a lot of noise, not like shooting a gun. Lastly again, talking about indoor, I'm definitely just for 500 ft. Again, at the end of the day I think we have Planning Boards, we have the Town Board with special permits; there's a process. Let applicants go through the process, let's vet it out and let's not kill something before it even gets off the ground like we've done with a couple of other projects. That's all I have to say and like I said, if some of this has already been rectified in the packet that I didn't print out, I apologize and thank you and I'll have to read it to comment on it further.

Supervisor Hay: OK, let's kind of do this a little bit piecemeal. Right now, we can possibly make a change if we can get enough support to go from the 1500, which at the time it was written was left in there, because once it was re-drafted and allowed indoor but not the outdoor, it was not changed. And, 500 I think would be fair. So, John wants 1000, you have two for 500.

Boardmember Larca: I'm fine with the 500 for the indoor.

Supervisor Hay: OK, so if that were to hold and we write up...by the way public, this will require another public hearing, so it's not all taking place tonight; we're just trying to move forward and see what we can accomplish and compromise on before the next public hearing. It may take another meeting, we'll see what we can get done this evening.

Boardmember Lord: So it would be 500 ft. from where? The way it's written in mine is from any entrance to any school, daycare center, church, hospital, or any residentially zoned property. I propose that we also add park to that. I also recommended that we make it from any property line, not entrance. So, if you are going to make 500 ft. be the distance factor, then please define where you are measuring from, thanks.

Boardmember Alvarez: Ashley or Will, I don't know if you know the answer: based on John Lord's comments, aren't there some State mandates that if this was going to happen anyway the State would dictate to you and would let you know 'hey you can't be next to a school' that it's already built into the law, so are we over-analyzing this? There has to be certain criteria on the books for the State.

Boardmember Lord: I think we're analyzing it, I don't think we're over-analyzing it.

Mr. Stephens: There are statutes that prohibit guns to be within a certain distance of a school, those have been on the books for quite some time.

Boardmember O'Connor: If I may, environmental conservation law says 'a firearm can't be discharged less than 500 ft. from another dwelling that you don't own and you can't fire across a roadway.'

Mr. Stephens: We're talking about two different things though John. There are laws that were put into effect. I don't have it right at the tip of my fingers, but in the wake of some of the gun tragedies that occurred in schools laws were adopted making basically safe zones where you can't bring a gun within a certain distance of a school. I think that's what Ed is speaking about.

Boardmember Alvarez: Yes.

Supervisor Hay: Ashley, I have a question of you quickly: with number 1, John is saying property line and I think it's already

written in there and says 'no new shooting range shall be located nearer than 500 ft. from any entrance to any school, daycare center, church, or hospital, any residentially owned property.' So, is that considered the entrance or do we make it the property line? I would think that it's the property line, do we have to make it clearer?

Ms. Ley: I would say for the residentially zoned property it would be the property line. I do think we should make it consistent between the two and clearer and I think we do need to check this 500 ft. again New York State Law because I just don't know offhand what that distance is.

Supervisor Hay: OK, what John said early on, that's DEC regulation, it is 500 ft.

Mr. Stephens: Yes, that's for outside, you can't discharge a gun within 500 ft. of another residence and you can't discharge a gun where the projectile would go across a road. That's in the Penal Law.

Supervisor Hay: OK, so the intent of what we we're trying to at the time was the property line when it comes to residential; so make it clear?

Mr. Stephens: I think it should be property line from school property because a school property is going to be a lot larger than where the entrance is.

Supervisor Hay: OK, so property line and remove entrance, Ashley.

Ms. Ley: OK, for all of those uses it would be property line 500 ft. and we'll confirm that that meets New York State Regulations or is not in conflict with them.

Supervisor Hay: OK.

Boardmember Lord: Can we add park?

Supervisor Hay: Yes, that's easy. OK, that's the crux of it as far as outdoor. I have a concern. The public spoke. Again, I didn't hear very many people, even the most adamantly opposed to outdoor had no problem with indoor. I looked up here in the County and there are four ranges, one indoor that everyone refers to as the Paladin Center, there is one Kent Rod and Gun Club, Putnam County Fish and Game Association, and Willowwood. Those are all private. I have to admit, the Town of Southeast is around 230 years old and we have never had a person make an application yet for a shooting range – indoor or outdoor. By moving indoors to start I think is a good move, which I would fully support. I would not say I would say not to an outdoor, but again it would have to have a lot more. Again, I'm not going to outdoor ranges at this point in time, I fully support indoor. However, the Hudson Valley, which is indoor and considered Paladin, they're on 13 acres. The other outdoor ranges: Kent Rod is 25, Putnam County Fish and Game is 75 acres, and Willowwood is 82. The proposal for the Town of Southeast is 10, so that is troublesome, but again I'm not interested in discussing outdoor at this time. I'd like to get it going, get indoors in and then if an application comes into the Town of Southeast now or in the next 230 years it can be dealt with at that time. Don't write it off, but not put it in at this time but there is a possibility if they can do it. Again, I don't know what kind of property we have here. I didn't look that up to see how many; we have 500 acres, we have 200 acres, but 10 doesn't seem to be sufficient and I'm not sure 25 is either but if someone comes in and makes an application and it fits the glove maybe consider it. But, right now, there is nothing in Town as far as an application and again nothing in the past 230 years.

Boardmember O'Connor: Supervisor Hay, if I may interject one thing about the large properties that you just described. Being a member of Putnam Fish and Game myself, I can tell you the bulk of the property is not used for anything but hunting season on those properties. So, Kent Rod and Gun, Putnam Fish and Game, and Willowwood have those large parcels because they are exclusively used for hunting. Actually, they shut the ranges down from what I understand during the hunting season so that members can hunt freely without having any problems basically so that might answer your question on why they're so large.

Supervisor Hay: 1) I think that's a good thing because the more for outdoor shooting I think the better.

Boardmember O'Connor: If you're willing to pay the fee.

Supervisor Hay: Well we can always go in our own backyard if we have the room.

Boardmember Larca: I agree with you, Tony, I'm in favor of the indoor range. It's not a safety issue for me more than it is just a noise issue and I've heard from a lot of people that are against that because of it and I myself wouldn't want to be living near an outdoor range. So, I'm open to exploring it more in the future if an application came forward, but I'm in agreement.

Boardmember Lord: I would agree. I would support an indoor range. I wouldn't support an outdoor range. I live near a property owner that uses his property to set off fireworks and uses firearms and it's within his right, he has quite a bit of property, but the noise is pretty disconcerting and it happens different times of the day. It happens on Sundays, it happens close to dusk and I would have issues with

it and I wouldn't want other residents in Town to have to deal with that kind of thing as a commercial enterprise, thanks.

Supervisor Hay: Do you know how far you are from that property, as the crow flies?

Boardmember Lord: As the crow flies, I would say quarter to half a mile and he fires into the side of a hill, which is the best thing to do but the sound I guess reflects back to us. But anyway, it is quite a ways away and there are different kinds of weapons that are used. One time it was quite a loud explosive that detonated, but it is a nuisance at times and that's my feelings on that.

Supervisor Hay: By for the public, it is legal. It's on a private property and it's allowable in the Town of Southeast.

Boardmember Lord: It is, it is, but the noise that I'm hearing I would not want as a Town board member to authorize that kind of noise to subject our resident's ears to in other locations, thanks.

Boardmember O'Connor: If I may, I wholeheartedly agree with Counselman Lord. Unabated noise, because obviously without actually looking at the property, but hearing the story, you're absolutely right that the sound is reflected by that hill. It's also, I'm sure he is not collecting the lead that's going into the side of the hill either, which presents an issue. It's an environmental issue and, again, an outdoor commercial range if done the right way can first of all get that guy to go somewhere else other than next to your house, but the other thing is the cottage industry that's basically sprung up around outdoor ranges because many of the ranges, even the ones that are private ranges in Putnam County such as Kent Rod and Gun and Putnam Fish and Game, when they were first established they were rural areas and houses and residential areas have grown up around them right next to them. So, more and more this new industry is all about sound mitigation and safe reclamation of any of the lead that goes into any of these ranges from shooting. So, there are all systems on that and it's become very reasonable. The noise levels, as an example. OSHA says employees can be subjected to 85 decibels all day long, that's the OSHA standard, and if you can maybe put in legislation that requires a special permit that a range, if it wanted to be an outdoor range, which has to be vetted through the Planning Board and the Town Board, would have to not exceed a reasonable level such as 75 decibels. I'm sure we could revisit that, maybe not today but at another time. The technology is out there and I'd rather have someone doing that in a regulated facility rather than willy-nilly next to John Lord. I don't want anything to happen over there.

Supervisor Hay: OK, where do we want to go with what we're doing this evening? Do we want to continue the discussion at a later date, do you want to move forward with what we put together tonight and have a public hearing and deal with outdoor in the future? What's your pleasure?

Boardmember O'Connor: Well, I think now that we're addressing the other items that were kind of left by the wayside, such as the archery and everything else, I think we're certainly getting on a better track to it. So, I'd be willing to go to a public hearing as far as what we've discussed on indoor ranges tonight and the other pieces. I don't know if we mentioned that we we're going to exclude some of the particular commercial zones because...

Supervisor Hay: Yes, we did that already.

Boardmember O'Connor: Yes, so I think that was also a step in the right direction. So, I'm OK moving forward with some of the recent changes that we've made tonight to a public hearing.

Supervisor Hay: OK, I would agree.

Boardmember Lord: I agree, we should go to a public hearing with this. I had one question though: I think someone said earlier that laser tag would be commercial recreation, but I'm looking at the red line and it says commercial recreation excludes the following outdoor uses.

Supervisor Hay: Look at re-draft and make sure it's in there.

Ms. Ley: It says commercial recreation also includes the following uses if they are conducted exclusively indoors: go-cart tracks, arcades, and laser tag.

Boardmember Lord: OK, thank you, I'm sorry.

Ms. Ley: That's OK. That was in response to a lot of the noise concerns that we received. Some of the newer ones like go-cart tracks and laser tag, once they're indoors they're not as disruptive.

Boardmember Lord: Thank you.

Supervisor Hay: Under the regular meeting portion I'll call for a public hearing on the revised shooting range law for Thursday, August 20. Right now, we have a fairly large agenda tonight compared to what we've had recently and right now I don't have anything moving forward for the next meeting, which is scheduled for August 6 so we probably will not have it. So, I'm going to schedule the public hearing at that time on the 20th. If that's OK with everyone?

Board: Yes.

REGULAR SESSION:

Supervisor Hay: OK, I'm going now move to the regular portion of the meeting?

Ms. Stancati: Second?

Boardmember Alvarez: I'll second, I'll second.

Supervisor Hay: All in favor?

Board: Aye.

Supervisor Hay: I'll waive the reading of the correspondence. All in favor?

Board: Aye.

Supervisor Hay: Next is the approval of the voucher list: \$1,097,920.36, so moved.

Boardmember Alvarez: Second.

Supervisor Hay: All in favor?

Board: Aye.

Supervisor Hay: Waiving of the reading of the budget transfers, so moved.

Boardmember Lord: Second.

Supervisor Hay: All in favor?

Board: Aye.

Supervisor Hay: Next, all meetings will be held at 1360 Route 22 Brewster, NY at 7:00pm unless otherwise noted. With the Coronavirus we had a meeting last month indoor, we barely broke the Code on that, and we decided this evening to go to Zoom. So, right now it says Thursday, August 6, 2020. Like I explained a few minutes ago, I don't believe there will be a meeting as I have nothing for the agenda. If something comes to the top that we have to have that meeting we will have it, but right now it does not look like that will happen and then the meeting after that would be Thursday, August 20, 2020 and I'll recommend at that point in time that we have the public hearing on the shoot range. Now, we don't know if the Governor is going to extend Zoom meetings or live, so how do we want to work it? Do what we've done in the past?

Boardmember O'Connor: I would suggest that we can put it on the agenda is being either in person or, depending on if we get an Executive Order, extending the in- person suspension.

Supervisor Hay: OK, we pretty much do that now. I mean, we post it on the internet, let them know accordingly. So, we won't identify because we don't know if the Governor is going to extend it or not.

Boardmember O'Connor: Sometimes it's extremely last minute.

Boardmember Lord: When a decision is made maybe we could just put it on the website right away that we are planning to have this meeting live, as soon as we know, thanks.

Supervisor Hay: OK, we can do that. All in favor?

Board: Aye.

Supervisor Hay: Next is #5: let me explain something here; this is my error. On number 5, I have an Affirmative Negative Declaration for Barrett Hill. I put a slash "Full Environmental Assessment Form Part 1: Project Setting" and that was intended for the shooting range and I inadvertently put it on with Barrett Hill. So, that does not belong. This is going to be re-posted tomorrow on the webpage, but tonight it's only a resolution for an Affirmative Negative Declaration for Barrett Hill and the Environmental Assessment Form was put on in error. Now, therefore, be it resolved, that the Town Board of the Town of Southeast in accordance with Part 617.7 of the SEQRA law hereby affirms its previous Negative Declaration for the proposed project. So moved for discussion.

Boardmember Alvarez: Second.

Supervisor Hay: Discussion?

Boardmember Lord: Yes, I had a question: in the whereas section...

Supervisor Hay: Which one? First page, second page?

Boardmember Lord: First page and it looks like it's the 5th whereas 'the population of the project is anticipated to be 349 persons including 33 school-aged children of which 26 are projected to be in public school.' Is this the supposition from the original Negative Declaration or has it been updated?

Supervisor Hay: I believe it is.

Ms. Ley: It is based on the EAF that was provided for the project back in 2017 and the multipliers that they used have not changed since that time and the number of units has not changed either.

Boardmember Lord: OK, I know that they referenced a couple of local projects that they compared the numbers to and I just know that we're three years down the road now and wondered if those projections or those were accurate. I think there was a place in North Salem that they referenced and there was another project, so that was my question.

Supervisor Hay: It's basically the best guesstimate at the time.

Boardmember Larca: John, I actually looked into this as I had the same question. I checked with the school and they are projecting 56 kids. I also called Warren Lucas about Bridleside, which is 60 units; 14 kids were projected in that project and there are currently 61 kids enrolled so almost 1 for 1 for the units. I don't know that that's what we're here to review for this based on your questions and Will's responses, but if anyone from the school board is listening I'd do think you have a good point that there anywhere from 26 to 168 kids that could be expected from this project.

Boardmember Lord: I know that when this project was first proposed it was senior housing and then this was changed to workforce housing and the low school projections was supposed to...

Ms. Ley: Only 17 of the units are truly workforce housing. The remainder of the units are market-rate.

Supervisor Hay: Which means the chance for more children.

Ms. Ley: Well, generally units that are affordable units tend to have a higher number of children than units that are market-rate units in similar developments.

Boardmember Larca: And all Bridleside is affordable?

Ms. Ley: I think so, I'm not positive about that though.

Mr. John Banlardi: Bridleside is 100% affordable. The standards by which the school children was evaluated in the EAF and in the Environmental Review for the current project as proposed, those standards have not changed. Ashley can talk to you about what the basis of those standards are and how school children are calculated for purposes of an Environmental Review, nothing has changed. One thing that has changed is that in many communities is that enrollment has been declining and significantly declining across many jurisdictions.

Boardmember Larca: Not in ours.

Mr. Banlardi: But the bottom line is there's no modification to be made in the projected school children because nothing has changed in how that analysis would take place.

Boardmember Lord: Thank you.

Boardmember Larca: John, since you're on I had one more question about Castle Park, just to confirm if that's allowed.

Supervisor Hay: Wait, time out, that has nothing to do with this portion; we're going into that next.

Boardmember Larca: OK.

Supervisor Hay: Question Ashley: what do we do with the numbers? Do we change them now? Is it going to make a difference if it's high, low, indifferent?

Ms. Ley: The model that the used to estimate school children is pretty industry-standard methodology. There is always going to be variations. I don't think we would need to change it in the Negative Declaration.

Supervisor Hay: OK, any other comment? Roll call vote.

Roll call vote was performed:

Councilman Alvarez – yes

Councilman Larca – yes

Councilman Lord – no

Councilman O'Connor – yes

Supervisor Hay – no

The motion to Affirm the Negative Declaration passed with a roll call vote of 3 to 2.

Supervisor Hay: Resolution #6: Special Permit Renewal Barrett Hill Associates LLC. Now, therefore, be it resolved, that based upon the foregoing findings the Town Board of the Town of Southeast hereby grants a Multifamily Work Force Housing Special Permit to the Subject Premises in accordance with the Statement of Use prepared and submitted to the Planning Board in connection with this Project Development Plan application and incorporated herein by reference, on the following conditions:

The applicant shall operate the facility in compliance with all general and special conditions set forth in Article X and XIX of the Zoning Code;

The applicant shall execute and file a mutually acceptable Community Benefit Agreement with the Town detailing the reservation of certain residential units as Work Force Housing and the procedure and the procedure for maintaining such housing as Work Force Housing going forward;

The Applicant shall make cash payment to the Town per unit as per the AKRF memorandum dated August 22, 2017, payable at the time of building permit issuance on a per unit/per building basis. Such payments when made shall be deposited into the Town's Recreation Reserve Fund and be utilized by the Town exclusively for park, playground or other recreational purposes, and totals \$263,796 and;

The applicant shall donate and install the replacement of the Castle Park Play – Structure deemed in need of replacement, estimated to be in the range of \$100,000. Notwithstanding the 2017 estimate of \$100,000 installed value, Barrett Hill will purchase and install the play equipment at its sole cost and expense even if the actual costs exceeds \$100,000. Such replacement shall be substantially similar to the Equipment Quotation prepared for the Town of Southeast, which is annexed hereto as Exhibit A;

Land owned by Longridge Associates (which is controlled by Barrett Hill's principal) as 46.28+/- acres of land adjacent and contiguous to Tonetta Lake Park identified on the tax map as Tax Map #56-1-41 shall be offered as a donation to the Town, and;

The actions outlined in paragraphs "4" and "5" above shall occur withing one hundred fifty (150) days of the filing with the Town Clerk of the resolutions granting Final Site Plan approval from the Planning Board.

And be it further resolved, that the Town Clerk is hereby authorized and directed to forward a certified copy of this resolution to Barrett Hill Associates, LLC; the Secretary of the Town of Southeast Planning Board; and the Southeast Building Department, forthwith.

So moved for discussion.

Boardmember Alvarez: Second.

Supervisor Hay: Discussion. Mr. Larca?

Boardmember Larca: I don't know John if you're on or Ashley if this is something you can answer: when will Castle Park be replaced in this process?

Mr. Banlardi: I think once we finish with the Planning Board, we'll move right into proceeding with that installation and conveying the land from Longridge Associates. We're at least offering for dedication so the Town can accept it.

Boardmember Larca: So, that's the removal of Castle Park and the replacement. I understand you plan to commence, but it's been a few years and we get a lot of questions about this; I'm just curious, worst case scenario, when does this have to get done?

Mr. Banlardi: 4 and 5 have to occur within 150 days of the filing of the passed resolution, assuming it gets passed for Final Site Plan Approval. We're already looking to get on to the Planning Board to finish. We have all of our other approvals in place so we're hoping we're in and out of the Planning Board in a couple of meetings, we get our resolution, and then we have 150 days to complete these items 4 and 5. I see no reason we would drag our feet.

Boardmember Larca: OK, so 150 days from the final site plan approval.

Mr. Banlardi: Correct.

Boardmember Larca: And just to clarify: that includes removing Castle Park what's there and the replacement.

Mr. Banlardi: Correct.

Boardmember Larca: OK, thank you. No other questions.

Supervisor Hay: Any other Town board members? Roll call vote.

Supervisor Hay: OK, any other comment? Roll call vote.

Roll call vote was performed:

Councilman Alvarez – yes

Councilman Larca – yes

Councilman Lord – no

Councilman O'Connor – yes

Supervisor Hay – no

The motion to grant the Special Permit Renewal Barrett Hill Associates, LLC passed with a roll call vote of 3 to 2.

Mr. Banlardi: Thank you everyone, have a good night.

Supervisor Hay: #8: Resolution: Putnam County Real Property Tax Services.

Ms. Stancati: Did you do 7, Tony?

Supervisor Hay: No, here we are; Number 7: Resolution: Adjusting Base Proportions for Real Property Tax Assessment Purposes. Now, therefore be it resolved, that the Town Board of the Town of Southeast accepts the recommendation of the Town Assessor and hereby authorizes the Town Clerk to sign and provide the Office of Real Property Services form RP-6703 for the Town Outside Village and Town-Wide Homestead portion containing the adjusted base proportion of 61.389423% and 60.651940%, respectively, pursuant to Real Property Tax Law and NYS Rules and Regulations in form and substance as may be approved by Town Attorney. So moved for discussion.

Boardmember Alvarez: Second.

Supervisor Hay: Discussion. All in favor?

Board: Aye.

Supervisor Hay: Number 8: Resolution: Putnam County Real Property Tax Services. Now, therefore be it resolved, that the Supervisor is hereby authorized to execute and deliver to the County of Putnam Real Property Tax Service Contract for 2020 Tax Year in the form and substance annexed hereto; and be it further resolved, that the Town Clerk shall forward a copy of this resolution to the Assessor forthwith. So moved for discussion.

Boardmember Lord: I'll second.

Supervisor Hay: Discussion. All in favor?

Board: Aye.

Supervisor Hay: Number 9: Resolution Adopting Local Law #7 of 2020. Now, therefore be it resolved, that the Town Board of the Town of Southeast hereby adopts Local Law No. 7 of 2020 pursuant to the Municipal Home Rule Law repealing Chapter 28 of the Town Code entitled Park and Recreation Advisory Board; and be it further resolved, that the Town Clerk is hereby authorized and directed to (a) enter said Local Law into the minutes of this meeting and update the Code Book of the Town of Southeast; and (b) give due notice of the adoption of said law by filing such with the Secretary of State of New York within the time required by law. So moved for discussion.

Boardmember Alvarez: Second.

Supervisor Hay: Discussion. All in favor?

Board: Aye.

Supervisor Hay: Number 10: Supervisor's report.

Boardmember Lord: I said something for discussion, but I...

Supervisor Hay: I didn't hear that, go ahead.

Boardmember Lord: Going back to that local law had quite a lot to it and I would like to have an advisory board, but not one that we would be looking for to manage Parks and Recreation but one that might offer ideas of what residents might want.

Supervisor Hay: Oh John, I get more comments from residents, I can show up a bundle. You don't need that, but I'll let you read all the comments.

Boardmember Lord: Good, well I think if there was a group that was reading all those comments, they might be able to sift through it and then come back to us with some advice on how to proceed, but I understand and thank you. I vote to repeal it as well.

Supervisor Hay: Thank you. OK, supervisor's report. Well, believe it or not we're halfway through the year and I've been telling you all along I didn't have a good handle on it because of the Coronavirus revenues are down, things aren't good in a sense, but we are actually holding our own. So, here's a quick breakdown. If any of you have any money in the bank you know the interest rates stink. So, we used to get a little bit of money so right now we're down about \$35,000 and it's a lot of money for us, but we're not going to get it and I don't see it coming back any time soon. Now, the good thing is the mortgage tax is up by around \$59,000 and that's a good thing. Believe it or not, the Coronavirus has people fleeing New York City and heading north and we're basically the first stop out of Westchester where the taxes are a little bit lower and the further north you go the better they're doing, but right now we're doing a little better as homes are selling. Now, our biggest problem our recreation fees are down big time, like \$85,000. We've had to cancel many of our programs. We had to give a substantial amount of refunds. Certain programs are working, some are not and it all depends on how long the Coronavirus stays, which from what I'm hearing will probably be to yearend. So, we can't look to the Recreation Department to help us out. They have in the past, at least held their own. They're not spending as much money because the programs aren't running. They say it's a wash but I'll tell you when I got there, they told me Recreation for every dollar earned is a dollar spent, it didn't work that way. So, my first budget that I inherited was pretty bad because of that, but it got better. But, this is beyond their control and we'll do what we can. The courts, right now they're down approximately...and I'm going to say only \$15,000. Unfortunately, the year before the court was not in full session; one of the judges was not doing a full court schedule last year so that screwed up my figures for last year. So, when I did my budget for this year I reduced it and that was a good thing. Now, even with the Coronavirus it's now down as much because I made a correction. They're going to start coming back. Will has a new program I think where it's going to generate some additional revenues. In the end, it's not going to be as bad although if I hadn't made the adjustment from last year it would be really bad, so right now that's a good thing. Now, the bad news, the Coronavirus is here. They established a tax cap and didn't take into consideration the Coronavirus and how bad things are going to be, so this year it's 1.56%, which means the maximum we would get additional would be \$103,372. So, as I prepare the budget don't shoot me. I hope to bring it in within the tax cap; it's going to be somewhat of a challenge. I don't want to use any reserves if possible so my neck is on the line. That's the report for this evening. It's fair, could be a lot worse, and I'm just going to hope that we continue to hold our own. If we continue at this pace we might hang in there and I have to admit I really feel bad for many of the businesses in our Town. As you know the with the restaurants, it's very difficult with this hot weather it's not good for them. Gyms are not open and it's pretty tough. I know a couple people personally, I was in business 36 years in the Town and I know many of my friends are really, really struggling. I feel for them and it affects us and we have to keep our fingers crossed. With that, we'll open up for public comment. Eric, do you want to explain to them how they can comment?

Boardmember Larca: OK, yes, you can raise your hand and I'll unmute you or I believe if you're on a phone you can press *9 to be unmuted.

Supervisor Hay: We will take them one at a time so if we don't get you the first time we'll get you the second or third time. So, hang in there and just do what Eric just said and raise your hand and *9 you said?

Boardmember Larca: Yes, to raise your hand you would click on participants I believe; I don't have it on my end but I believe there's a button to raise your hand.

Supervisor Hay: Did you get anyone yet?

Boardmember Larca: No, it doesn't look like anyone...

Woman on phone: I'm sorry, it says *6 to unmute if I'm allowed to talk, I just have a couple questions.

Supervisor Hay: Could you state your name for the record too and your location, ma'am?

Ms. Yarusso: Aliasha Yarusso. I actually just have a couple questions about the property line. I'm allowed to ask during this?

Supervisor Hay: Yes, that's what this is for, yes.

Ms. Yarusso: Tony, you know we disagree on a lot. I couldn't agree more when you said, and John the 1000 ft., but I know that it was talked about doing the 500 and it was initially in the record for 1500. I would actually ask that you kind of split the baby and meet somewhere in between those two numbers. Also, to clarify: when you say from the building to the property line or is it from like where there's a parking lot of that facility to the property line. Which one is it; the building or the parking lot of that facility?

Supervisor Hay: No, the measurement is from property line. Ashley?

Ms. Ley: So, that was one of the things that we were going to re-word. So, it was going to be from the property line of the parcel that wants to put up a shooting range to the property line of a parcel that has a church, school, park. Because we're going to go from property line to property line the two parcels could not be next to each other.

Ms. Yarusso: I'm sorry, so does that mean it would be let's say the property line of a residence to the parking lot would be? That would be whatever feet you agree to or is it the building?

Ms. Ley: It would be from property line to property line. In practical terms it would mean that there would have to be another piece of property between a residential use and a shooting range. There would have to be something in between.

Supervisor Hay: Ms. Yarusso, I believe you're up on Pugsley Road and you're next to the 10 acres owned by the County. How far is your property line to the 10 acres of the County?

Ms. Yarusso: 5 ft.

Supervisor Hay: 5 ft.?

Ms. Yarusso: Yes.

Boardmember Larca: I think your property boards the Town property. The County property is next to the Town property.

Ms. Yarusso: I'm right next to the Town property, yes.

Supervisor Hay: OK, the question was the County one.

August 20, 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. Wheelabrator Technologies to TOSE Re: Phishing Email
2. Nejame & Sons to Supervisor Hay Re: 301 Milltown Road
3. Putnam County Legislature to Supervisor Hay Re: Public Hearing-2020 Agricultural District Inclusion Recommendations-Pro Brothers Farm
4. Acord Certificate of Liability Insurance to TOSE Re: Nejame & Sons of Danbury, LLC
5. Acord Certificate of Liability Insurance to TOSE Re: Nejame & Sons of Danbury, LLC
6. Resident to Supervisor Hay Re: Litter on Exit 10
7. LADA, P.C., Land Planning to Supervisor Hay Re: Special Permit for Multifamily Workforce Housing Extension Request-Mount Ebo Lot 6-Barrett Hill

8. Brewster Elks Lodge to TC Re: Flag Day Ceremony
9. Residents to Supervisor Hay Re: Petition "No Air Brake" Use
10. Office of State Comptroller to Supervisor Hay Re: Court Justice Fund-June 2020
11. Brown & Brown Insurance to Supervisor Hay Re: Worker's Compensation Coverage Alliance
12. NYS Dept. of Transportation to TC & TOSE Re: Designation of Restricted Highway Contract-Resurfacing on Towns of Southeast & Patterson
13. NYS Environmental Facilities Corporation to Supervisor Hay Re: NYS Revolving Fund-Project No. C3-5340-05-00
14. NYS Environmental Facilities Corporation to Supervisor Hay Re: NYS Revolving Fund Project No. D0-15855
15. AKRF to TOSE Planning Board Re: Verizon Wireless-310-312 Route 22
16. NYS Dept. of Taxation & Finance Re: 2020 Final Special Franchise Full Values
17. Comcast to TOSE Re: Programming Changes
18. Zarin & Steinmetz to Tom LaPerch, Planning Board & TOSE Re: Commercial Campus at Fields Corner Final Environmental Impact Statement
19. PC Dept. of Health to Special Districts Re: 2020 Permit to Operate a Non-Transient Non-Community Water Supply
20. NYS Agriculture & Markets to Supervisor Hay & TOSE Re: 2020 Municipal Shelter Inspection Report
21. Supreme Court NYS PC to TOSE Re: Petition, 4 Nicholas Road v. Assessment Review Board
22. Greystone Management Solutions to TOSE Re: Commuter Parking-Southeast/Brewster North
23. NYS DOT to Supervisor Hay Re: Construction Management Program-Welfare Road Culvert Replacement
24. Acord Certificate of Liability Insurance to TOSE Re: TOSE-Commercial Parking at Brewster Station
25. Acord Certificate of Liability Insurance to TOSE Re: TOSE-Parking Commuter
26. AKRF to Supervisor Hay Re: Route 22 Master Plan & Zoning Update
27. PC Records Center to TC Re: Storage Fee Invoice
28. Resident to TOSE, Michael Levine Bldg. Dept. & Code Enforcement Re: Fence Violation
29. Brown & Rudnick to TOSE Re: Filing a Proof of Claim in the Perdue Bankruptcy
30. NYS Town Clerks Association to TC Re: Membership Renewal
31. Brewster Central School District to TB Re: Board of Education Letter to the Community-Board of Education Trustee Search
32. NYS Workers' Compensation Board to TOSE Re: Certificate of Participation in Workers' Compensation Group Self Insurance
33. NYS Insurance Fund to TOSE Re: Certificate of Workers' Compensation Insurance-VOB
34. Jacobson to Tom LaPerch, Planning Board Re: New Cingular Wireless Site Plan Approval
35. Jacobson to Tom LaPerch, Planning Board Re: Southeast Parking Proposal-Southeast Train Station-Independent Way
36. Concept Print to TOSE Re: Personal Protection Products
37. PC Dept. of Health to TOSE Re: Bathing Beach Inspection Report
38. AKRF to TOSE Planning Board Re: Alfacor-Traffic Impact Study
39. AKRF to TOSE Re: Application Summary Sheet-FWL Group
40. Jacobson to TOSE Re: Southeast Parking Proposal-Southeast Train Station Independent Way-Special Permit
41. Insite Engineering to TOSE Re: Stateline Retail Center/Restaurant Depot-Subdivision Site Plan, Special Permit & Wetland Permit Re-Approval

42. PC Legislature to TOSE Re: Agenda Rules Meeting
43. NYS Dept. of Taxation & Finance, Office of Real Property Tax Services to TOSE Re: Certificate of Final Telecommunications Ceiling
44. NY DEC to TOSE & TB Re: General Permit Groundwater Discharge of Treated Sanitary Sewage-Stateline Retail
45. Supreme Court NYS PC to TOSE Re: Petition, Vails Grove Golf Course Inc. v. Assessment Review Board
46. Supreme Court NYS PC to TOSE Re: Petition, Preferred Equity Locke LLC c/o Sovran Acquisition v. Assessment Review Board
47. Supreme Court NYS PC to TOSE Re: Petition, Mt. Ebo 22 Assoc. LLC v. Assessment Review Board
48. Supreme Court NYS PC to TOSE Re: Petition, Alanticare Management v. Assessment Review Board
49. Supreme Court NYS PC to TOSE Re: Petition, Lavi Brewster LLC v. Assessment Review Board
50. Supreme Court NYS PC to TOSE Re: Petition, Foggintown, LLC v. Assessment Review Board
51. George Latimer, Westchester County Executive to Supervisor Hay Re: Notice of Preliminary Decision for Use of East of Hudson Water Quality Investment Funds for the Town of Bedford "Bedford Hills-Katonah Business Sewer District" Phase 1 & Phase 2 Sewer Projects
52. Lisa A. Johnson, Putnam County Director of Real Property to Supervisor Hay Re: 2020 Contracts
53. NYSEG to Supervisor Hay Re: NYSEG/RG&E Contact Information Update Notification Form

FOILS

- Michael Sheil to Bldg. Dept. Re: All Building Files, Survey's & Violations-333 Brewster Hill Rd.
- Michael Sheil to Bldg. Dept. Re: All Building Files, Survey's & Violations-19 Bradford Ct.
- Jerri Jacobs to Bldg. Dept. Re: All Building Files, Survey & Property Card-53 Friendly Rd.
- Stephen Mancini to Bldg. Dept. Re: All Building Files-22 Cooledge Drive
- Edbin Soto to Bldg. Dept. Re: Copy of Survey for Fence Installation-14 Carillon Rd.
- SmartProcure to TOSE Re: All Purchasing Records from 3-06-2020 to Present
- Shari Besterman to Bldg. Dept. Re: Permit & C/O Parcel History-53 Friendly Rd.
- AnnaMarie Russo to Bldg. Dept. Re: All Building Records-7 Indian Wells
- Kiersten Schramek, Esq. to Bldg. Dept. Re: Copies of All Records, Documents, Correspondence, Complaints, Summonses, NOV'S, C/O's, All Records & Photos Concerning Property-21 Ice Pond Rd.
- John Greene to Bldg. Dept. Re: All Building Files including Violations, Proposals, Change of Use & Description of Property Use Including All Acceptable Uses-190-192 Route22
- Peter Levy to Bldg. Dept. Re: All Building Records & Survey-54 North Brewster Road
- Janet Davis to Bldg. Dept. Re: Survey Map-270 Starr Ridge Road
- Lisa Bucolo to Bldg. Dept. Re: C/O's, Open Permits, Property Card & Taxes-289 Gage Road
- Pamela Blecker to Bldg. Dept Re: All Building Records-25 Hubbard Dr.
- Michael Bonilla to Bldg. Dept. Re: All Building Records-415 Brewster Hill Rd.
- Christine Cecere to Bldg. Dept. Re: All Building Records-103 Bentley Court
- Lauren Camerino to Bldg. Dept. Re: Copy of Survey-29 Settlers Hill Road
- Christina Killerlane to Bldg. Dept Re: Building Code Violations-1250 Rt. 22
- Alison J. Kukulka to Bldg. Dept. Re: All Building Records-201 Twin Brook Ct.
- Andrea Mancusi to Bldg. Dept. Re: Legal Bedrooms-2 Brewster Woods

- Frank Salvatore to Bldg. Dept. Re: Survey-4 Colonial Ridge Ct.
- Nick Bronico to Bldg. Dept. Re: All Building Records, Survey & Septic-3 Ruby Lane
- Robert Pape to Bldg. Dept Re: All Building Records-128 North Brewster Road
- Brian Donovan to Bldg. Dept. Re: Septic Info-22 Maple Drive
- Jacqueline Gilmore to Bldg. Dept. Re: Title & Survey-21 Hillside Park
- David Coler to Bldg. Dept. Re: Property & Owner Info-28 North Brewster Road
- Vernise Cardillo to Bldg. Dept. Re: All Building Records & Septic Info-31 Crosby Ave.
- Phil Risi to Bldg. Dept. Re: All Building Records & Survey-503 Twin Brook Court
- Alba Illescas To Bldg. Dept. Re: All Building Records, Septic & Survey-174 Route 22
- Karina Jureu to Bldg. Dept. Re: All Building Records-215-217 Tonetta Lake Rd.
- William Butler to Bldg. Dept. Re: Survey, C of O's, Open & Closed Permits, Violations, & Septic Info-584 Milltown Rd.
- Sandra Santos-Lacey to Bldg. Dept. Re: All Building Records, Violations & Septic Info-39 Indian Wells Road
- Michael Marra to Bldg. Dept. Re: All Building Records-301 Foggintown Road
- Brian Stokosa to Bldg. Dept. Re: All Building Records-24 Brewster Woods Drive
- Michael & Sharon Sheil to Bldg. Dept. Re: All Building Records-120 Peaceable Hill Road
- Lauren Camerino to Bldg. Dept. Re: All Building Records Including Survey & Septic-95 Tulip Road
- Brian Stokosa to Bldg. Dept. Re: All Building Records-24 Brewster Woods
- Robert O'Reilly to Bldg. Dept. Re: Plans of Home-7 Kirkham Road
- String Real Estate to Accounting Re: Water/Sewer Billing-8 Mountain Brook Drive
- String Real Estate to Accounting Re: Water/Sewer Billing-33 Bloomer Road
- String Real Estate to Assessor Re: Parent Parcel-22 Locust Road
- String Real Estate to Accounting Re: Water/Sewer Billing-5 Wilson Road
- Jason Mancini to Bldg. Dept. Re: Septic, Survey, Sewer, C of O's & Assessors Card
- Ginny Nacerino to Bldg. Dept. Re: Violations-679 Milltown Road
- Lauren Camerino to Bldg. Dept Re: CO's, Permits, Survey & Septic Info-5 Bear Berry Lane
- Carol Franczak to Bldg. Dept. Re: Recent Violations-988 E. Main St.
- Randi Mani to Bldg. Dept. Re: Site Plan of Outdoor Tennis Court-22 Sutton Place
- Alba Illescas to Bldg. Dept. Re: Survey & C of O's-174 Route 22
- Sharon Sheil to Bldg. Dept. Re: Active Permits & C of O's-901 Autumn Lane
- AnnaMarie Russo to Bldg. Dept. Re: All Building Records-7 Indian Wells Road
- Storrs Cote to Bldg. Dept. Re: Outstanding C of O's & Date of Build-229 Allview Ave.
- Nick Bronico to Bldg. Dept. Re: C of O for Finished Basement & Bathroom-3 Ruby Lane
- Steven Frattarola to Bldg. Dept. Re: Legal Bedroom Count-38 Stonehollow Drive
- Amanda Jensen to Bldg. Dept. Re: Survey-1 Carillon Road Brewster

Email

1. William C. Banks, US Census to Michele Stancati, Town Clerk (TC) Re: Request for Rooms for Training Enumerators
2. Office of Senator Harckham to Supervisor Hay Re: Senator Harckham Food Drive in TOSE
3. Richard O'Rourke to Supervisor Hay Re: Report of Preliminary On-Site Soil Testing-Pugsley Rd.
4. Stephen Montgomery to TC Re: Stop Deployment of Wireless during Quarantine
5. Motorist to Supervisor Hay Re: Traffic Violation

6. LADA, P.C. -Land Planners to Supervisor Hay & TC Re: Barrett Hill/Mount Ebo Request for Extension of Special Permit
7. TC to John Hersh Re: Liquor License-542 North Main Street
8. Resident to Supervisor Hay Re: AC Disposal
9. Motorist to Supervisor Hay Re: Speeding Ticket/Inquiry of Opening of Court
10. Victoria Desidero, Planning Board (PB) to Monica Roth & TC Landscaping Bond-Lakeview Manor
11. General Code to TC Re: General Code Invoice
12. Brewster Chamber of Commerce to Supervisor Hay Re: Assemblyman Byrne Donating Hand Sanitizer to Local Businesses
13. Resident to Supervisor Hay, TOSE & TB Re: Rejuvenation of Main Street Brewster
14. Resident to Supervisor Hay Re: Thank You to Town Leaders-550 Brewster Hill Rd.
15. Will Stephens to Putnam Press, Supervisor Hay & TB Re: Public Hearing Notices-Barrett Hill, Local Law Repeal-Parks Advisory, & Local Law, Zoning-Shooting Ranges
16. Resident to Supervisor Hay Re: Tonetta Lake Complaint
17. Resident to Supervisor Hay Re: Driving Rules & Regulations
18. TC to Victoria Desidero, Tom Fenton & Will Stephens, TA Re: Insurance Cancellation of MS4 Bond
19. Christian DiPalermo to Supervisor Hay Re: Algonquin Gas Transmission
20. Sterling Environmental Engineering to Supervisor Hay & M. Levine, Bldg. Dept. Re: TOSE-2020 Annual Post Closure Monitoring Report
21. Insite Engineering to Supervisor Hay Re: Pugsley Road DEC Wetland Mapping
22. PC TC to Supervisor Hay Re: TA to County Exec. – Re Applicant to 2020 PC Ag. District 7-2-20
23. Willis Stephens to Legals at Putnam Press & TC Re: Public Hearing Notice 7-8-2020
24. Councilman John Lord to Supervisor Hay Re: Next TB Meeting Zoom or at TOSE Town Hall
25. Supervisor Hay to Purchaser Re: Accepted Offer-24 Holmes Road
26. Resident to M. Levine, Bldg. Dept. Re: Complaint of Turkey at Residents Barn
27. NYS DEC to TC Re: New Sporting License Automated System
28. NYS DEC to TC Re: Weekly Job Posting Update
29. NYS DEC to TC Re: Freshwater Fishing & Boating Updates
30. Brewster Elks to TC Re: Pool Bathroom Closed-Lodge Bathroom Open for Use
31. Sandra Santos-Lacey to TC Re: Septic Violation-39 Indian Wells Road
32. Motorist to Supervisor Hay Re: Speeding Ticket-International Mail
33. Supervisor Hay to TB, Laurie Bell Town Assessor, Will Stephens, & M. Maffei Re: 301 Milltown Road Property/Deed
34. NYS DEC to TC Re: Saltwater Fishing & Boating Newsletter
35. Resident to Victoria Desidero, TC & Bldg. Dept. Re: Bond-69 Birch Hill Road
36. Councilman John O'Connor to TB. & TA Re: Executive Order to Suspend In-Person Meeting
37. Supervisor Hay to TB Re: Agenda- Local Law- Shooting Range
38. Putnam County Legislature to TOSE Re: Revised July 2020 Legislative Calendar
39. Resident to Supervisor Hay Re: Concerns Regarding Middle Branch Reservoir
40. TC to Bldg. Dept. & Planning Dept. Re: Bond-Brewster Service Station-35 Milan Road
41. Resident(s) to Supervisor Hay & TB Re: Shooting Range
42. TC to Alarm Permit Applicant Re: Commercial Alarm Permit Renewal-341 Rt. 312
43. TC Town of New Castle to TC TOSE Re: Marriage License Question
44. TC Town of New Castle to TC TOSE Re: Wheelchair/Crutches Donations
45. J. McNicholas to TB Re: Request for Recognition Letter

46. Jamie LoGiudice to TC Re: Stateline Bonds
47. Laurie Bell Town Assessor to TC Re: TOSE Application for Aid for Cyclical Reassessments for 2020
48. LADA, PC to TOSE Re: July 9th Public Hearing-Barrett Hill-Green Cards
49. Resident to M. Levine & TB Re: ZBA-Barn-5 Shady Lane
50. Resident to C. Chiudina, Recreation Dept. Re: Swim Camp at Tonetta Lake Letter of Appreciation
51. Marriage License Applicant to TC Re: Scheduling Marriage License
52. Resident to TB, M. Levine, Bldg. Dept. Re: Storm Run Off on Driveway-5 Shady Lane
53. Resident to Supervisor Hay & TC Re: Pugsley Alienation
54. Supervisor Hay to Resident Re: Septic Repair Program
55. TC to Jamie LoGiudice Re: Stateline Resolution
56. Supervisor Hay to Brown & Brown Re: Business Reopening Safety Plan Template-COVID
57. NYS DOT to Supervisor Hay Re: Resident Concerns Concerning Vegetation Management Along State Highway Route 6 TOSE
58. Resident to Supervisor Hay Re: Fallen Trees-Easement
59. Supervisor Hay to NYSEG Re: Broken Utility Pole-Milltown Road
60. NYSEG/RG&E to Supervisor Hay & TB Re: Gas Line Safety Concerns/Inspections
61. Resident to Bldg. Dept. Re: C of O-3 Shady Lane
62. Resident to M. Levine & TB Re: Meeting Request-3 Shady Lane
63. M. Levine, Bldg. Dept. to Supervisor Hay & TB Re: Address of Property Complaints-Shady Lane
64. Resident to Supervisor Hay Re: Hornets at Markel Park
65. Supervisor Hay to Tom Fenton, M. Levine & Steve Coleman Re: Wetlands-5 Shady Lane
66. TC to Bill Carri Re: Northwood Tree Care Resolution

Correspondence Sent

1. TOSE to Property Owner Re: NOV/OTR-51 Tulip Drive
2. Supervisor Hay to Deputy Commissioner Putnam County Bureau of Emergency Services Re: PC Multi-Jurisdictional All-Hazard Mitigation Plan Update-Letter of Intent to Participate-TOSE
3. TOSE to Property Owner Re: NOV/OTR-85 Shore Drive
4. TOSE to Property Owner Re: NOV/OTR-7 Deer Court
5. TOSE to Property Owner Re: NOV/OTR-21 Ice Pond Road
6. TOSE to Property Owner Re: NOV/OTR-191 Gage Road
7. TOSE to Property Owner Re: NOV/OTR-243 Peaceable Hill Road
8. TOSE/Supervisor Hay to Teamsters & Chauffeurs Union Local No.456 Re: Employee-COVID-19 Leave
9. TOSE to PC Legislature, Honorable Toni Addonizio Re: Public Hearing PC Agricultural & Farmland Protection Board-679 Milltown Road
10. Supervisor Hay to NYS DOT, TB & Senator Harckham Re: No Jake Brake Petition
11. TOSE to U.S. Bank Trust N.A. Re: Reimbursement for Lawn Care Services-21 Old Doansburg Lane
12. TOSE Planning Board to Public Re: Notice of Public Hearing-Alfacor
13. TOSE Building Dept. to Resident Re: Proposed Accessory Structure-4 Spruce Road
14. TOSE To Property Owner Re: NYS DEC to TC Re: Payment for Lawn Care Services-23 Sunset Dr.
15. TOSE to US Bank Trust Re: Payment for Lawn Care Services-23 Shannon Way
16. TC to Public Re: Public Hearing Notice- Mount Ebo/Barrett Hill

17. TOSE to Putnam County Traffic Safety Board Re: Traffic Accident Reports-Intersection Rt. 312 & Independence Way
18. Supervisor Hay to Paul Jonke, PC Legislature Re: False Fire Alarms 98 & 100 Route 312-Tilly Foster Farm
19. TOSE to Property Owner Re: NOV/OTR-679 Milltown Road
20. TC to A. DeFazio, PC Re: Request for Death Certificate
21. TOSE to Property Owner Re: Public Hearing ZBA Barn-5 Shady Lane
22. TOSE to Property Owner Re: NOV/OTR-11 Doansburg Road
23. TOSE to Property Owner Re: NOV/OTR-1600 Route 22
24. TOSE to Property Owner Re: NOV/OTR-2241 Route 6
25. TOSE to Property Owner Re: NOV/OTR-79 South Drive
26. TOSE to Property Owner Re: NOV/OTR-79 South Drive
27. TOSE to Property Owner Re: NOV/OTR-79 South Drive
28. TOSE to Property Owner Re: NOV/OTR-175 North Brewster Road
29. TOSE to Property Owner Re: NOV/OTR-11 Deer Court
30. TOSE to Property Owner Re: NOV/OTR-413 Route 312
31. TOSE to Property Owner Re: Complaint-3 Shady Lane
32. TOSE to Property Owner Re: Complaint-7 Shady Lane
33. TOSE to Property Owner Re: Complaint-5 Shady Lane
34. TOSE to Property Owner Re: NOV/OTR-1048 Drewville Road
35. TOSE to Property Owner Re: NOV/OTR-11 Andrea Drive
36. TOSE to Honorable Toni Addonizio, Chairwoman PC Legislature Re: Proposed Inclusion of the
37. Pro Brothers Farm 679 Milltown Road into the PC Agricultural District Public Hearing PC Agricultural & Farmland Protection Board

RESOLUTION NO. 44 /2020 RESOLUTION AFFIRMING NEGATIVE DECLARATION FOR BARRETT HILL

INTRODUCED BY: Supervisor Hay
 SECONDED BY: Councilman Alvarez

WHEREAS, BARRETT HILL ASSOCIATES LLC, WILDER-BALTER PARTNERS and COVINGTON MANAGEMENT (the “Applicant”), owners of premises located at Mt. Ebo Lot 6, Mt. Ebo Road North (Tax Map No. 45.-5-2) (the “Subject Premises”) has made application to this Town Board for a Special Permit to allow the use and development of the Subject Premises as Multifamily Work Force Housing pursuant to the provision of Chapter 138 of the Town Code; and

WHEREAS, the proposed Barrett Hill development consists of 168 multi-family housing units, including 17 affordable units, on a +/- 29 acre site in the Multi-Family Workforce Housing District (MFWH) (the “Proposed Project”); and

WHEREAS, the Proposed Project includes 64 1-bedroom and 104 2-bedroom units, a clubhouse with pool, and parking for 307 vehicles; and

WHEREAS, the population of the Proposed Project is anticipated to be 349 persons, including 33 school-aged children, of which 26 are projected to be in public school; and

WHEREAS, development of the proposed project required a zoning text and map amendment, which was the subject of a coordinated New York State Environmental Quality Review Act (SEQRA) review led by the Town Board. Potable water for the Proposed Project was to be provided by the existing water supply system operated by New York American Water. The Town Board adopted a Negative Declaration for the Proposed Project on or about September 8, 2016, and adopted a Special Permit on or about December 7, 2017. The Town Board then referred the application back to the Planning Board for final site plan approval. However, the Applicant did not secure site plan approval within the specified time period and the Special Permit expired on June 7, 2019; and

WHEREAS, the Applicant sought to renew the Special Permit in the Fall of 2019. However, it was discovered that New York American Water needed to pursue well field improvements to serve its existing customers, and that it did not have sufficient capacity within the existing water system to serve the Proposed Project. In a separate application New York American water pursued well field improvements, and new wells to increase the capacity of the system; and

WHEREAS, the Applicant and New York American Water demonstrated in a letter from WSP hydrogeologist Stacy Stieber, CPG, PG (NY) dated June 3, 2020 that with the improvements to the existing water system and establishment of new wells, sufficient water is available to serve the Proposed Project, and that no significant adverse impacts to aquifers or surface water resources would result from the operation of the Proposed Project; and

WHEREAS, in addition to the factors considered above, the Town Board considered the following guidance from the State Environmental Quality Review Act and its implementing regulations and determined that the Proposed Project would:

- (i) Not result in “a substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic or noise levels; a substantial increase in solid waste production; a substantial increase in potential for erosion, flooding, leaching or drainage problems;” (§617.7(c)(1)(i))
- (ii) Not result in “the removal or destruction of large quantities of vegetation or fauna; substantial interference with the movement of any resident or migratory fish or wildlife species; impacts on a significant habitat area; substantial adverse impacts on a threatened or endangered species of animal or plant, or the habitat of such a species; or other significant adverse impacts to natural resources;”(§617.7(c)(1)(ii))
- (iii) Not result in “the impairment of the environmental characteristics of a Critical Environmental Area as designated pursuant to subdivision 617.14(g) of this Part;” (§617.7(c)(1)(iii))
- (iv) Not result in “the creation of a material conflict with a community’s current plans or goals as officially approved or adopted;” (§617.7(c)(1)(iv))
- (v) Not result in “the impairment of the character or quality of important historical, archaeological, architectural, or aesthetic resources or of existing community or neighborhood character;” (§617.7(c)(1)(v))
- (vi) Not result in “a major change in the use of either the quantity or type of energy;” (§617.7(c)(1)(vi))
- (vii) Not result in “the creation of a hazard to human health;” (§617.7(c)(1)(vii))

(viii) Not result in “a substantial change in the use, or intensity of use, of land including agricultural, open space or recreational resources, or in its capacity to support existing uses;” (§617.7(c)(1)(viii))

(ix) Not result in “the encouraging or attracting of a large number of people to a place or places for more than a few days, compared to the number of people who would come to such place absent the action;” (§617.7(c)(1)(ix))

(x) Not result in “the creation of a material demand for other actions that would result in one of the above consequences;” (§617.7(c)(1)(x))

(xi) Not result in “changes in two or more elements of the environment, no one of which has a significant impact on the environment, but when considered together result in a substantial adverse impact on the environment; or (§617.7(c)(1)(xi))

NOW, THEREFORE, BE IT RESOLVED, the Town Board of the Town of Southeast in accordance with Part 617.7 of the SEQRA law hereby affirms its previous Negative Declaration for the Proposed Project.

UPON A ROLL CALL VOTE:

Councilman Alvarez Aye
Councilman Larca Aye
Councilman Lord Nay
Councilman O’Connor Aye
Supervisor Hay Nay

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

RESOLUTION NO. 45 / 2020 SPECIAL PERMIT RENEWAL BARRETT HILL ASSOCIATES LLC

INTRODUCED BY: Supervisor Hay
SECONDED BY: Councilman Alvarez

WHEREAS, BARRETT HILL ASSOCIATES LLC, WILDER-BALTER PARTNERS and COVINGTON MANAGEMENT, owners of premises located at Mt. Ebo Lot 6, Mt. Ebo Road North (Tax Map No. 45.-5-2) (the “Subject Premises”) has made application to this Town Board for a Special Permit to allow the use and development of the Subject Premises as Multifamily Work Force Housing pursuant to the provision of Chapter 138 of the Town Code; and

WHEREAS, such Special Permit was granted by this Town Board by resolution adopted on November 16, 2017; and

WHEREAS, the Applicant thereafter proceeded to obtain site plan and other regulatory approvals to enable the construction of the project; and

WHEREAS, before the Applicant could obtain site plan and outside regulatory approvals, the Special Permit lapsed; and

WHEREAS, the Applicant has requested that the Special Permit previously granted be renewed or reissued; and

WHEREAS, the Town Board, as Lead Agency under the State Environmental Quality Review Act (SEQRA) has reviewed and renewed the Negative Declaration previously issued in connection with this application;

WHEREAS, it has been previously found and determined that the Subject Premises are eligible for consideration as a Multifamily Work Force Housing District pursuant to Special Permit and that such premises were mapped as a Multifamily Work Force Housing District by Local Law No. 7 of 2016; and

WHEREAS, pursuant to the Zoning Law Section 138-04.I of the Town Code, the Town Board shall make certain findings with regard to the reservation of parkland and/or payment of a sum of money for recreation fees for a prospective; and

WHEREAS, the Town has carefully considered correspondence and comments, including memoranda dated September 15, 2017 and September 28, 2017 from the Town's Planning Consultant, AKRF regarding the impact the Project will have on the recreation resources of the Town; and

WHEREAS, while the Town does not have a recreation master plan or capital improvement plan, there are on-going expenses related to recreation, including its successful summer camp and youth sports program and the Town expects participants from the Property; and

WHEREAS, a duly noticed public hearing on the application to renew the Special Permit was held by the Town Board on July 9, 2020 and such public hearing was continued for a period of ten (10) days to allow submission of written comment 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. The exterior appearance of the building 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 grants a Multifamily Work Force Housing Special Permit to the Subject Premises in accordance with Statement of Use prepared and submitted to the Planning Board in connection with this Project Development Plan application and incorporated herein by reference, on the following conditions:

1. The applicant shall operate the facility in compliance with all general and special conditions set forth in Articles X and XIX of the Zoning Code;
2. The Applicant shall execute and file a mutually acceptable Community Benefit Agreement with the Town detailing the reservation of certain residential units as Work Force Housing and the procedure for maintaining such housing as Work Force Housing going forward;
3. The Applicant shall make cash payment to the Town per unit as per the AKRF memorandum dated August 22, 2017, payable at the time of building permit issuance on a per unit/building basis. Such payments when made shall be deposited in the Town's Recreation reserve Fund and be utilized by the Town exclusively for park, playground or other recreational purposes, and totals \$263,796; and
4. The Applicant shall donate and install the replacement of the Castle Park Play – Structure deemed in need of replacement, estimated to be in the range of \$100,000. Notwithstanding the 2017 estimate of a \$100,000 installed value, Barrett Hill will purchase and install the play equipment at its sole cost and expense even if actual cost exceeds \$100,000. Such replacement shall be substantially similar to the Equipment Quotation prepared for the Town of Southeast, which is annexed hereto as Exhibit A;
5. Land owned by Longridge Associates (which is controlled by Barrett Hill's principal) of 46.28± acres of land adjacent and contiguous to Tonetta Lake Park identified on the tax map as Tax Map # 56-1-41 shall be offered as a donation to the Town; and
6. The actions outlined in paragraphs "4" and "5" above shall occur within one hundred fifty (150) days of the filing with the Town Clerk of the resolutions granting Final Site Plan approval from the Planning Board.

And be it further

RESOLVED, that the Town Clerk is hereby authorized and directed to forward a certified copy of this resolution to BARRETT HILL ASSOCIATES, LLC; to the Secretary of the Town of Southeast Planning Board; and to the Southeast Building Department, forthwith.

UPON A ROLL CALL VOTE:

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

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

Resolution No. 46 / 2020 ADJUSTING “BASE PROPORTIONS” FOR REAL PROPERTY TAX ASSESSMENT PURPOSES

Introduced By: Supervisor Hay
Seconded By: Councilman Alvarez

WHEREAS, the Town Board of the Town of Southeast desires to maintain fairness in the taxable valuation of tax parcels within the town; and

WHEREAS, it is the Board’s understanding that using the calculations of RP-6703 for the adjustment of base proportions will best serve the needs of the Town and be most equitable for the taxpayers; and

WHEREAS, the Town Assessor has recommended that the Town accept the adjusted base proportions as submitted as Town Outside Village Homestead at 61.389423 per cent and Town-Wide Homestead portion as 60.651940 per cent.

NOW, THEREFORE, BE IT

RESOLVED, that the Town board of the Town of Southeast accepts the recommendation of the Town Assessor and hereby authorizes the Town Clerk to sign and provide to the Office of Real Property Services form RP-6703 for the Town Outside Village and Town-Wide Homestead portion containing the adjusted base proportion of 61.389423% and 60.651940%, respectively, pursuant to Real Property Tax Law and NYS Rules and Regulations in form and substance as may be approved by Town Attorney.

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

RESOLUTION NO. 47 / 2020 PUTNAM COUNTY REAL PROPERTY TAX SERVICES

INTRODUCED BY: Supervisor Hay
SECONDED BY: Councilman Alvarez

WHEREAS, the Town of Southeast contracts with Putnam County (“County”) for the provision of certain services in connection with the preparation of the annual assessment rolls and related documentation on a fee for services basis; and

WHEREAS, the Town Board finds that the services performed by the County are essential to the real property assessment and taxation process.

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor is hereby authorized to execute and deliver to the County a Putnam County Real Property Tax Service Contract for the 2020 Tax Year in the form and substance annexed hereto; and be it further

RESOLVED, that the Town Clerk shall forward a copy of this resolution to the Assessor 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. 48 / 2020 RESOLUTION ADOPTING LOCAL LAW #7 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 repeal Chapter 28 of the Town Code relating to the establishment of a Parks and Recreation Advisory Board; 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 July 9, 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 by repealing Chapter 28 of the Town Code there will do away with a redundant governmental function and, thereby 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. 7 of 2020 pursuant to the Municipal Home Rule Law repealing Chapter 28 of the Town Code entitled Park and Recreation Advisory Board; 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.

Respectfully Submitted,

Michele Stancati
Southeast Town Clerk