

**TOWN OF SOUTHEAST
John J. Dunford Civic Center
1360 Route 22, Brewster, New York 10509
July 10, 2008
Special Meeting - 7:30 PM**

Present: Supervisor Rights
Councilman Johnson
Councilman Honeck
Councilman Gross
Councilman Wee

Also Present: Town Clerk Ruth A. Mazzei

And approximately 30 persons

Councilman Johnson made a motion to open the Special Meeting and Councilman Honeck seconded. 3 in favor, 2 against.

Supervisor Rights made a motion to open the Special Meeting and Councilman Gross seconded. All in favor.

VOLLEYBALL COURTS – PURMPHOUSE ROAD

Councilman Honeck made a motion to start the process regarding the Volleyball Courts. Mr. Knox is going to check out vendors and the cost is not to exceed \$25,000. Supervisor Rights seconded and all in favor.

CALL FOR THE ORDER OF THE DAY

Councilman Johnson and Honeck called for the order of the day. Supervisor Rights ignored the motion.

ETHICS BOARD RESOLUTION – ***Throughout reading the Supervisor insisted on hitting the gavel and telling Councilman Johnson that the Supervisor did not recognize him and he was not allowed to speak.

Introduced by Councilman Johnson
Seconded by Councilman Honeck

Whereas, the Town of Southeast has established a department or departments in Town government charged with the duty to inspect buildings, structures and land uses within the town; and

Whereas, the town Board has staffed these departments with trained and competent building and fire safety inspectors and code enforcement officers; and

Whereas, it is the duty of these inspectors and code enforcement officers to determine compliance with the various State and local codes regulating the use and improvement of land and buildings within the Town and when compliance cannot be secured voluntarily, to seek judicial intervention to compel compliance with such codes and ordinances; and

Whereas, it has come to the attention of this Town Board that the Supervisor has taken certain actions and certain communications with code enforcement personnel, including Special Counsel retained to prosecute certain code enforcement cases, regarding the possible withdrawal of prosecutions of specific property owners charged with alleged violations of the building, zoning and Rental Registration Laws; and

Whereas, it is the sense of this Town Board that Supervisor rights has potentially interfered or has attempted to interfere with the smooth, equal and unbiased administration of government and code enforcement within the Town and he continues to do so, will impair, impede and jeopardize the fair, equal and unbiased enforcement of the Town's statutes codes ordinances and regulations going forward.

Now, therefore, be it

Resolved, that the supervisor is hereby formally requested and directed to cease and desist from any further communications that can be reasonably construed as intimidation of or interference with code enforcement personnel regarding pending prosecutions of alleged violations of building, zoning, rental registration or other state and local codes, ordinances and regulations, and be it further

Resolved, as the May 28, 2008 letter from Supervisor Right to Special Counsel Charbonneau could be viewed as an action by the Supervisor against the interests of the Town, that said letter and the Supervisor's actions in connection therewith be referred to the Town and county Ethics Committee for determination as to whether such letter and actions are in violation of any State or local codes of ethics regarding proper ethical conduct of elected officials.

Upon roll Call Vote:

Supervisor Rights Nay
Councilman Johnson Aye
Councilman Honeck Aye

Councilman Gross Aye
Councilman Yee Nay

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

RECREATION ADVISORY BOARD

Councilman Johnson made a motion to appoint the following people to the Recreation Advisory Board and Councilman Honeck seconded.

Billie Froessel – 5 in favor
Joe Charbonneau – 3 in favor; 2 against (Rights & Yee)
John Burns – 5 in favor
Robert Cullen – 4 in favor and 1 against (Yee)
Michael Hecht – 5 in favor
Patricia Bohrman – 5 in favor
Joe Lambert – 5 in favor

BUDGET TRANSFERS

Supervisor Rights made a motion to approve the transfers and Councilman Honeck seconded and all in favor. (see attached)

Supervisor Rights made a motion to close the Special Meeting and Councilman Yee seconded. 3 Ayes, 2 Nays (Honeck and Johnson.)

Respectfully submitted,

Ruth Argo Mazzei
Southeast Town Clerk