

TOWN OF SOUTHEAST
John J. Dunford Civic Center
1360 Route 22, Brewster, New York 10509
January 29, 2009
Regular Meeting - 7:30 PM

Notation of Exits
Pledge of Allegiance

Call for the Order of the Day - Councilman Honeck

Supervisor Rights made a motion to open the meeting and Councilman Yee seconded.

All in favor.

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

Also: Town Clerk Mazzei
Town Attorney Willis Stephens

Also: Approximately 50 persons

SPECIAL PRESENTATION- HONORABLE JAMES W. BORKOWSKI

Councilmen Johnson, Honeck and Gross read a proclamation and presented Mr. Borkowski with a Plaque in recognition of his ten plus years of service to the Town of Southeast as Town Justice.

Town of Southeast
Distinguished Service Citation

WHEREAS, a Great State is only as great as the individuals who give of themselves to make their communities better places to live, work and raise families; and

WHEREAS, JAMES W. BORKOWSKI, has served the Town of Southeast with distinction as a Town Justice from October, 1998 through January, 2009; and

WHEREAS, prior to his becoming Town Justice, JAMES W. BORKOWSKI served as Associate Town Attorney and was charged with prosecuting significant matters affecting the Town's Zoning and Building Codes; and

WHEREAS, JAMES W. BORKOWSKI has had a distinguished career in law and law enforcement having served as an Assistant District Attorney in Nassau Count, a Special Prosecutor in Putnam County and as an associate and member of several prestigious law firms in the New York Metropolitan Area, and has proven himself to be an asset to the deliberative process of Town government with a keen understanding of the many quality of life and public protection issues that presented themselves during his tenure; and

WHEREAS, JAMES W. BORKOWSKI has played a leadership role in mediating and adjudicating disputes among our citizenry and adjudicating matters concerning the Penal Law, Vehicle and Traffic Law and our local Zoning, Planning and Building laws with a fair and judicious demeanor to better reflect the needs of a growing community; and

WHEREAS, it is the sense this Town Board that in JAMES W. BORKOWSKI we have an individual who is worthy of the esteem of our Town, County and the Great State of New York.

NOW, THEREFORE, BE IT

RESOLVED AND PROCLAIMED, that the Town Board of the Town of Southeast hereby thanks JAMES W. BORKOWSKI and his family, for his many years of distinguished and exemplary public service to the people of the Town of Southeast; and be it further

RESOLVED, that on the foregoing, it is our distinct pleasure to confer upon JAMES W. BORKOWSKI this **CERTIFICATE OF DISTINGUISHED SERVICE** in recognition of his many efforts to secure and enhance the public welfare of our Town, all above and beyond the call of duty.

DULY ADOPTED BY THE TOWN BOARD THIS 29th DAY OF JANUARY, 2009.

RUTH A. MAZZEI, TOWN CLERK

CORRESPONDENCE

Supervisor Rights made a motion to waive the reading of the correspondence, Councilman Yee seconded. 4 ayes and one nay (Johnson)

Correspondence Received

1. QUES&T to Michael Levine, Town of Southeast Re: 2009 Environmental/Safety Training Schedule
2. Paul Eldridge, Putnam County Personnel Director to All Putnam County & Appointing Authorities Re: Information
3. Jacobson to Town of Southeast Planning Board Re: Brewster Corporate Park
4. Jacobson to Town of Southeast Planning Board Re: JVF Mgmt Site Plan
5. Jacobson to Town of Southeast Planning Board Re: Southeast Memorial Park
6. Jacobson to Town of Southeast Planning Board Re: Starr Ridge Farm Equestrian Center
7. Putnam Engineering to Southeast Town Board Re: Drewville Heights Realty/Drake Petroleum Corp
8. Blackberry Hills Sanitary Sewer District to Town Board Re: Certification and Disbursement Request
9. Algonquin Gas Transmission Company LLC to Town of Southeast and Assessor Re: Petition of Assessment
10. Oak Ridge Partnership & Quantum Realty to Assessor of The Town of Southeast Re: Consent Judgment
11. PC Bureau of Emergency Services to Southeast Supervisor Re: E-Parcel
12. Brewster-Southeast Joint Fire Department to Town Clerk Mrs. Mazzei Re: Official results for the 2008 election for Fire Commissioner
13. Drake, Loeb, Heller, Kennedy, Gogerty, Gaba & Rodd PLLC to Willis Stephens Re: Pastena v. Village of Brewster & Town of Southeast
14. Putnam County Press to Town of Southeast Re: Request to redesignate The Putnam County Press as the official newspaper for The Town of Southeast
15. Resident of Springhouse Water District to Congressman Hall Re: Federal Program
16. Letters of Support for Don Cuomo to The Town Board from residents:
 - a) Carol Feehan
 - b) Christopher M Feehan
 - c) Denis Castelli
 - d) Ranellone Family
 - e) Cathy Croft
 - f) Athena Arvan
 - g) John & Alexandra Ballantine
 - h) Robert C Lund
 - i) Cherie Ingraham
 - j) John & Kathleen Lord
 - k) Bradley D Schwartz
 - l) Lynn Eckardt
 - m) Robert Zubrycki

17. Bob Jackson to the Town of Southeast Re: Resume
18. Kimberly E Edwards to the Town of Southeast Re: Resume
19. Andrew Forgacs to the Town of Southeast Re: Resume
20. Ninth Judicial District Court Employees Assoc. to Supervisor Rights Re: Recommendation for Pat Bonanno
21. Gregory L. Folchetti to Supervisor Rights Re: Resume
22. Andrew W. Negro to Supervisor Rights Re: Resume
23. Victor G. Grossman to Supervisor Rights Re: Resume
24. Paul T. Vink to Supervisor Rights Re: Resume
25. Putnam County Legislature to Supervisor Rights Re: Commission on Fiscal Vision and Accountability
26. DOH to Town of Southeast Re: Drinking Water State Revolving Fund
27. NYS Environmental Facilities Corp to Willis H. Stephens Re: Blackberry Hill Sanitary Sewer District STP
28. NYS DEC to Supervisor Rights Re: Sodom Dam
29. Glynn, Mercip & Purcell LLP to Supervisor Rights Re: North Salem Volunteer Ambulance w/ Town of Southeast
30. NYC DEC to Supervisor Rights Re: Survey Crews will be in your community
31. NYS DEC to Supervisor Rights Re: Diverting Reservoir Dam
32. Walt Thompson to The Town of Southeast Re: Beautification Program
33. NYMIR to Town of Southeast Re: Steve Pacifico Claimant
34. Certification of NYS Workers Compensation Ins Re: Schech Enterprise Inc
35. Federated Insurance Notice to Rescind Cancellation Re: Aqueduct Plumbing
36. Allstate Certificate of Insurance Re: JRS Pool Service & Supplies Inc
37. Federated Mutual Ins Co Cancellation Notice Re: Town of Southeast Towing
38. Certificate of Workers Compensation Ins Re: JD Parrella Electric Inc
39. Acord Certificate of Liability Ins Re: S & S Fire Suppression Systems, Inc
40. Acord Certificate of Liability Ins Re: Quality Environmental Solutions & Technologies Inc
41. Acord Certificate of Liability Ins Re: P & D Electric of Hudson Valley Inc
42. Acord Certificate of Liability Ins Re: Euro Video Productions
43. Acord Certificate of Liability Ins Re: Standard Construction Corp
44. Acord Certificate of Liability Ins Re: Reclamation of Kingston, LLC
45. NYSIF Certificate of Workers Compensation Ins Re: Euro Fence Inc
46. NYSIF Certificate of Workers Compensation Ins Re: Reliable Glass & Door Corp
47. The Stephens Law Firm to Ron Hund Accounting Dept Re: Tax Certiorari Settlements
48. Hogan & Rossi to Southeast Town Board Re: Information on Public Hearing For Millennium Real Estate Services
49. Agreement Between The Town of Southeast and Severn Trent Environmental Services Re: Water and Sewer Services
50. Councilman Yee to Town Clerk Mazzei Re: Response to Town Clerk
51. Councilman Yee to Town Attorney Willis Stephens Re: Response to The Town Attorney's Statements
 - a. Corrected Copy from Councilman Yee
52. Councilman Yee to Town Attorney Willis Stephens Re: Duties of Town Clerk
 - a. Corrected Copy from Councilman Yee
53. **Foils:**
 - Jessica Piacente Re: Tax, Map, & Property Card for 7-11 Peach Lake Rd
 - Miles Markowitz Re: Copy of C of O's for 58.5-1-7
 - Gina Sansone Re: Accounting Information
 - Coldwell Banker Re: C of O for 9 Tamaric Drive
 - Houlihan Lawrence Re: Copy of Survey for 211 Allview Ave
 - Survey on Property for 14 Lookout Drive
 - Tracey Pulvermiller Re: Septic & Well Records for 218 Shore Dr
 - Robin & Chris Moro Re: Permit and Dimension approval for Balconies at Holly Steam Court in Brewster
 - Robert Zubrycki Re: 67 Main St Drawings
 - Cathy Ceufo Re: ZBA Minute Book 2007
 - Thomas Kelly Re: Copy of Correspondence addressed to The Town of Southeast and Zoning Department from True Care Pharmacy
 - Ward Norris Heller & Reidy LLP Re: copy of records relating to 2201-2205 Dunhill Drive, Brewster NY
 - Julianne C Lopez Re: Zoning Ordinances from 1955 through 1969

- Robert Wilder Re: Records & Documents relating to the agreement between the Town of Southeast and the MTA concerning Independence Way
- Karl Moede Re: Copies of Records and Survey
- Copy of C of O for 9 Nancy Lane

54. Memos:

- Town Clerk to Town Board Re: Liquor License
- Ray Knox to Supervisor Rights Re: Pressing Facility Needs
- Highway Department to Town Board and Town Clerk Re: Appointment of Kevin J. Palmer as Deputy Highway Superintendent
- Levon Bedrosian to Town Board & Town Clerk Re: Special District Annual Rate Letters

55. Emails:

- Southeast Recreation to Town Board, Town Council & Town Clerk Re: Wells Camp Spray Park
- Levon Bedrosian to Town Board, Town Council, & Town Clerk Re: Springhouse Update
- Levon Bedrosian to Town Board, Town Council, Town Clerk & James Randazzo Re: Update Water Test for Springhouse
- Michael Rights to Walt Thompson Re: Presentation to Town Board
- Paul Johnson to Town Board, Town Clerk & Town Council Re: hazardous road
- Thomas & Susan Coyle to Town Board Re: Support of Don Cuomo
- Michael Rights to Nancy Re: Bates family in Support of Don Cuomo
- Levon Bedrosian to Springhouse residents Re: Springhouse Water Update
- Councilman Johnson to Town Board, Town Attorney, Town Clerk, Levon Bedrosian, and Michael Levine Re: Peaceable Hill
- Paul Johnson to Ruth Mazzei Re: Constituent Meeting
- Michael Rights to Ruth Mazzei Re: Quick somebody call the Sheriff
- Ruth Mazzei to Michael Rights Re: Change Noted
- Dwight Yee to Ruth Mazzei Re: Wrong meeting date

Correspondence Sent

1. Levon Bedrosian to Residents of Springhouse Re: Water District Update
2. Michael Rights to Residents of Springhouse Re: Water District Update
3. Jim Lawlor to Mr. David Beshears Re: Broken Driveway Gate
4. Jim Lawlor to Mr. William Schwartz Re: Sodom Road Repair
5. Michael Rights to Residents of Springhouse Re: Water District Update
6. Code Enforcement to Reservoir Realty c/o JNR Holdings Re: Violation

VOUCHERS

Councilman Honeck made a motion to approve the voucher list in the amount of \$1,400,827.69. Supervisor Rights seconded all in favor.

BUDGET TRANSFERS

Supervisor Rights made a motion to balance the Budget for Year end. Councilman Yee seconded. All in favor. (copy at end of the minutes)

MEETINGS

Supervisor Rights made a motion to set the following dates and Councilman Yee seconded. All meetings will be held at 1360 Route 22, Brewster, New York AT 7:30 PM unless otherwise noted. All in favor

- a) February 5, 2009 – Work Session
- b) February 12, 2009 – Work Session
- c) February 19, 2009 – Regular Meeting

APPOINTMENT – TOWN JUSTICE

Councilman Honeck made a motion to appoint Gregory L. Folchetti as the Southeast Town Justice; Councilman Gross seconded. 3 in favor, 2 against (Rights and Yee)

TEAMSTER UNION CONTRACT

Councilman Honeck made a motion to accept Teamsters Union Contract, from 01/01/09 to 12/31/2011. Councilman Gross seconded and all in favor except 1 against (Johnson).

SWEEPING OF SCHOOL PROPERTY

Councilman Honeck made a motion for the continuing of Sweeping School Property by the Southeast Highway Department. The Town will be reimbursed for time and materials. Supervisor Rights seconded; all in favor.

BID AWARDS- LANDSCAPING

Supervisor Rights made a motion to award the Landscaping Bid to Colonialtown in the amount of \$26,375, for a term of two years. Councilman Yee seconded. All in favor.

PLANNING BOARD CONSULTANT

Councilman Johnson made a motion to extend Planning Board Consultant, George Rohrman, until April 1, 2009. Councilman Honeck seconded. All in favor except 1 nay (Rights)

APPOINTMENT-LAKE TONETTA ADVISORY CHAIRMAN

Councilman Johnson made a motion to appoint Robert Zubrycki as Chairman of the Lake Tonetta Advisory Board till 12/31/2009. Supervisor Rights seconded. All in favor.

RESOLUTION #01 /09 MILLENNIUM REAL ESTATE SERVICES, LLC – SPECIAL PERMIT

INTRODUCED BY Councilman Johnson
SECONDED BY Councilman Honeck

WHEREAS, Millennium Real Estate Services LLC, owner of premises located on NYS Route 6 West and Old Route 312, Tax Map No. 56.09, Block 1, Lot 19, (the “Subject Premises”) has made application to this Town Board for a Special Permit to allow the use of the ground level of the Subject Premises for retail sales; and

WHEREAS, the Subject Premises are located in an GC-1 zone; and

WHEREAS, retail use is only permitted in a GC-1 zone upon the grant of a Special Permit by the Town Board; and

WHEREAS, the Town Board is in receipt of a report and recommendation from the Southeast Planning Board wherein the Planning Board has recommended the grant of the Special Permit and has found that the proposal of Millennium Real Estate Services LLC is in compliance with the applicable general and special standards of Article X of Chapter 138 of the Town Code; and

WHEREAS, the Planning Board, as Lead Agency for purposes of State Environmental Quality Review Act (“SEQRA”) adopted a Negative Declaration, thereby

determining that the project is not likely to have a significant effect on the environment and, thereby, concluded review under SEQRA; and

WHEREAS, a duly noticed public hearing was held by the Town Board on December 18, 2008 in connection with this application 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 Special Use Permit to Millennium Real Estate Services LLC in connection with the Subject Premises in accordance with Statement of Use prepared and submitted to the Planning Board in connection with this Project Development Plan application, on the following conditions:

1. The applicant shall construct and operate the facility in compliance with all conditions set forth in Article X of the Zoning Code; and
2. The retail use of the Subject Premises shall be limited to the ground level thereof; and
3. The applicant shall enter into a Development and Indemnification Agreement which shall include requirements for appropriate performance bonds and/or escrow accounts to assure proper completion of improvement in a form acceptable to the Highway Superintendent and Town Attorney for the construction of improvements within the Town Highway right of way necessitated by the proposed development.

And be it further

RESOLVED, that the Supervisor be and hereby is authorized to execute and deliver any and all deeds, documents, maps, applications and any other materials necessary to effect the quit claim conveyance of a triangular shaped piece of surplus land purportedly within the Town of Southeast's right of way as shown on the proposed site plan for the Subject Premises, such conveyance to be in consideration for the Applicant installing additional "wet land" vegetation as per the proposed Wet Land permit and for the construction off-site drainage enhancements benefiting the Town Highway system in the vicinity entirely at the Applicant's expense; and

RESOLVED, that the Town Clerk is hereby authorized and directed to forward a certified copy of this resolution to Millennium Real Estate Services LLC, owner of the Subject Premises, to the Secretary of the Town of Southeast Planning Board forthwith.

Upon Roll Call Vote:

Councilman Yee aye

Councilman Gross aye
Councilman Honeck aye
Councilman Johnson aye
Supervisor Rights aye

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

**RESOLUTION #02 /09 - MILLENNIUM REAL ESTATE SERVICE LLC –
WETLANDS PERMIT**

INTRODUCED BY: Councilman Yee
SECONDED BY: Councilman Honeck

WHEREAS, the Town of Southeast Wetlands Inspector issued a report and recommendation in connection with the subdivision application of Millennium Real Estate Services LLC, owner of premises located on NYS Route 6 West and Old Route 312, Tax Map No. 56.09, Block 1, Lot 19, (the “Subject Premises”); and

WHEREAS, the Town Board finds that there is sufficient reason in the record to support the grant of a wetlands permit in connection with said application,

NOW, THEREFORE, BE IT

RESOLVED, that after reviewing the maps, plans and submissions of the Applicant, together with the Report and Recommendation of the Wetlands Inspector as transmitted by the Planning Board to the Town Board and which is incorporated herein by reference, the Town Board of the Town of Southeast hereby GRANTS a permit to allow a portions of the proposed activity to occur within the wetland/wetland buffer area as shown on the proposed site plan on file with 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 Millennium Real Estate Services LLC, owner of the Subject Premises and to the Secretary of the Town of Southeast Planning Board and forthwith.

UPON ROLL CALL VOTE:

Councilman Yee - aye
Councilman Gross - aye
Councilman Honeck- aye
Councilman Johnson- aye
Supervisor Rights - aye

VOTE: Resolution passed by a vote of 5 ayes to 0 nays.

**RESO #03/09 MILLENNIUM REAL ESTATE SERVICE LLC – ARCHITECTURAL
REVIEW BOARD**

INTRODUCED BY: Councilman Gross
SECONDED BY: Councilman Johnson

WHEREAS, the Town of Southeast Architectural Review Board (“ARB”) having issued a report and recommendation in connection with the commercial site plan application of Millennium Real Estate Services LLC, owner of premises located on NYS Route 6 West and Old Route 312, Tax Map No. 56.09, Block 1, Lot 19, (the “Subject Premises”).

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Southeast hereby accepts and approves the Report of the Architectural Review Board for Millennium Real Estate Services LLC, a copy of which is annexed hereto and made part hereof, in connection

with and that such Report shall be incorporated in any final Site Plan subsequently reviewed by 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 Millennium Real Estate Services LLC, owner of the Subject Premises, to the Secretary of the Town of Southeast Planning Board and to the Secretary of the Architectural Review Board forthwith.

Upon Roll Call Vote:

Councilman Yee	Aye
Councilman Gross	Aye
Councilman Honeck	Aye
Councilman Johnson	Aye
Supervisor Rights	Aye

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

RESOLUTION 04 #/09 - ARCHITECTURAL REVIEW FOR DUNMORE CORPORATION

INTRODUCED BY: Supervisor Rights
SECONDED BY: Councilman Yee

WHEREAS, the Town of Southeast Architectural Review Board (“ARB”) having issued a report and recommendation in connection with the commercial site plan application of Dunmore Corporation, owner of premises located on NYS Route 6 East, a/k/a 3633 Danbury-Brewster Road (the “Subject Premises”).

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Southeast hereby accepts and approves the Report of the Architectural Review Board for Dunmore Corporation, a copy of which is annexed hereto and made part hereof, in connection with and that such Report shall be incorporated in any final Site Plan subsequently reviewed by 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 Dunmore Corporation, owner of the Subject Premises, to the Secretary of the Town of Southeast Planning Board and to the Secretary of the Architectural Review Board forthwith.

Upon Roll Call Vote:

Councilman Yee	Aye
Councilman Gross	Aye
Councilman Honeck	Aye
Councilman Johnson	Aye
Supervisor Rights	Aye

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

RESO #05/09 SPECIAL PERMIT FOR DRAKE PETROLEUM – ROUTE 6

INTRODUCED BY: Supervisor Rights
SECONDED BY: Councilman Gross

WHEREAS, Drake Petroleum, owner / contract vendee of premises located on NYS Route 6 West, Tax Map No. 67.6, Block 1, Lot 40, (the “Subject Premises”) has made application to this Town Board for a Special Permit to allow a retail “convenience store “ to be developed on Subject Premises; and

WHEREAS, the Subject Premises are located in an GC-1 zone; and

WHEREAS, retail use is only permitted in a GC-1 zone upon the grant of a Special Permit by the Town Board; and

WHEREAS, the Town Board is in receipt of a report and recommendation from the Southeast Planning Board wherein the Planning Board has recommended the grant of the Special Permit and has found that the proposal of Drake Petroleum is in compliance with the applicable general and special standards of Article X of Chapter 138 of the Town Code; and

WHEREAS, the Planning Board, as Lead Agency for purposes of State Environmental Quality Review Act (“SEQRA”) adopted a Negative Declaration, thereby determining that the project is not likely to have a significant effect on the environment and, thereby, concluded review under SEQRA; and

WHEREAS, a duly noticed public hearing was held by the Town Board on December 18, 2008 in connection with this application 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 proposed changes to 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 Special Use Permit to Drake Petroleum in connection with the Subject Premises in accordance with Statement of Use prepared and submitted to the Planning Board in connection with this Project Development Plan application, on the following conditions:

1. The applicant shall construct and operate the facility in compliance with all conditions set forth in Article X of the Zoning Code; and
2. The retail use of the Subject Premises shall be confined to area of the proposed structure and there shall be no outside display of goods or wares; and
3. No Certificate of Occupancy shall be issued for the structure and no sales from the Subject Premises shall commence unless and until the exterior renovations and improvements to the existing structure and site, as recommended by the Architectural Review Board and approved by this Board, shall be substantially complete and in conformance to prior representations including:
 - a) Lighting
 - b) Exterior cladding

- c) Design
- d) Landscaping
- e) Hours of operation is from 6am to 10 pm – 7 days a week

And be it further

RESOLVED, that the Town Clerk is hereby authorized and directed to forward a certified copy of this resolution to Putnam Engineering as agent for Drake Petroleum, owner of the Subject Premises, to the Secretary of the Town of Southeast Planning Board and to the Secretary of the Architectural Review Board forthwith.

Upon Roll Call Vote:

Councilman Yee	Aye
Councilman Gross	Aye
Councilman Honeck	Aye
Councilman Johnson	Aye
Supervisor Rights	Aye

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

OFFICIAL VIDEOGRAPHER

Councilman Johnson made a motion to authorize Paul Johnson to notify Comcast that Euro Video is the Towns official videographer for the public access channel. Seconded by Supervisor Rights. All in favor.

NORTH SALEM VOLUNTEER AMBULANCE- Deferred.

SAFE DRIVING PROGRAM - Supervisor Rights deferred Safe Driving Program until the Town Attorney receives the State Comptroller’s determination.

MINUTES PROCEDURE - Councilman Honeck made a motion to adopt the Procedural Resolution and Councilman Johnson seconded. Councilman Gross suggested deferring this item; Councilman Honeck withdrew his motion and Councilman Johnson withdrew his second. All agreed to defer it to the February 5th work session.

TOWN-WIDE DRAINAGE - deferred

UNION APPRENTICESHIP - Supervisor Rights made a motion to mandate that all contractors bidding on town contracts have to be enrolled in an officially sanctioned apprenticeship. Councilman Johnson said that this would increase the fees by 25%. Councilman Yee seconded. Motion not carried by a vote of 3 nays and 2 ayes (Rights and Yee).

WELLS SPRAY PARK - Councilman Honeck made a motion to approve an amount up to \$350,000 0 for the Wells Camp Spray Park and not to exceed this amount. Councilman Gross seconded. All in favor.

SET PUBLIC HEARING - ARB CHAPTER 3 - Councilman Yee made a motion to defer Amending ARB Chapter 3 until February 12th, reset Public Hearing at 7:30PM. Councilman Gross seconded. All in favor.

ARCHITECT CONSULTANT - Supervisor Rights made a motion to hire Franz & Franz as consultants to the ARB. Councilman Yee seconded and all in favor.

67 MAIN STREET - Supervisor Rights made a motion pertaining to 67 Main Street Renovation Bond and agreed to hire a cost estimator to examine the project. Councilman Yee seconded. All in favor.

MECHANICAL ENGINEER – Councilman Johnson made a motion and Councilman Gross seconded to spend up to \$10,800 on a Mechanical Engineer For the HVAC and the addition for 1360 Route 22. All in favor except 1 nay (Yee).

OLD TOWN HALL – Councilman Honeck made a motion to pay the invoice for Old Town Hall at 67 Main Street for \$17,250. Supervisor Rights seconded and all in favor.

EXECUTIVE SESSION:

Litigation – Supervisor Rights made a motion and Councilman Yee seconded and all in favor to enter into executive session.

Councilman Johnson made a motion to close the executive session and Councilman Honeck seconded – all in favor.

Councilman Yee made a motion to close the meeting at 11:05 and Supervisor rights seconded. All in favor.

Respectfully submitted,

Ruth Argo Mazzei
Southeast Town Clerk