

**SPECIAL MEETING
TOWN CLERK'S MINUTES
FEBRUARY 22, 2007**

Present: Supervisor Dunford
Councilman Honeck
Councilman Johnson
Councilwoman Mitts

Also: Town Clerk Ruth A. Mazzei
Town Attorney Willis Stephens, Jr.

And: Town Planner Graham Trelsted

Absent: Councilman Pat Bonanno

Councilman Johnson made a motion to open the Special Meeting and Councilman Honeck seconded. All in favor.

PUBLIC HEARING - ROUTE 22 MORATORIUM

Councilman Honeck made a motion to open the public hearing and Councilwoman Mitts seconded. All in favor. Town Clerk Mazzei read the legal notice. This proposed local law is to continue the moratorium on Route 22 in the Town of Southeast. No comments were given. Supervisor Dunford made a motion to close the public hearing and Councilman Johnson seconded. All in favor.

RESOLUTION #10 /2007 - WETLANDS PERMIT - COYLE PROPERTIES

Introduced By: Supervisor Dunford
Seconded By: Councilman Johnson

WHEREAS, the Planning Board of the Town of Southeast rendered a decision dated January 22, 2007 with the application of Coyle Properties to construct a loop driveway at an existing residence. This decision was based on a wetlands site inspection and report from AKRF, Inc.; Planners for the Town of Southeast. This activity is located in wetlands buffer area and is located on Old Milltown Road in the Town of Southeast, Putnam County, New York.

WHEREAS, the Town Board finds that there is no reason to upset the determination of the Planning Board in connection with said application,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Southeast hereby declines to exercise its power to over turn the determination of the Southeast Planning Board's decision regarding the application from Coyle Properties for a wetlands permit for property located on Old Milltown Road, Town of Southeast, Putnam County, subject to the terms and conditions imposed by the Town of Southeast Planning Board.

UPON ROLL CALL VOTE:

Supervisor Dunford - Aye Councilman Bonanno - Absent
Councilman Johnson - Aye Councilwoman Mitts - Aye

Councilman Honeck - Aye

VOTE: carried by a vote of 4 in favor, 0 against: 0 abstained.

AWARDING CONTRACT FOR BLACKBERRY WASTEWATER TREATMENT PLANT UPGRADE

Councilman Honeck made a motion to award contract for Blackberry Waste Water Treatment Plant; Councilman Johnson seconded and all in favor.

General Construction - Waltech Construction Corporation
Electrical Construction - Pantel Contracting Corporation
HVAC Construction - Southeast Mechanical Corporation
Plumbing construction - Southeast Plumbing Corporation

RESOLUTION #11 /2007ADOPTING LOCAL LAW AMENDING LOCAL LAW NO. 1 OF 2002

Introduced By: Councilwoman Mitts

Seconded By: Councilman Honeck

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 to amend Local Law No. 1 of 2002 entitled "A LOCAL LAW REGULATING FOR AN INTERIM PERIOD, THE APPROVAL OF SUBDIVISION PLATS AND PROJECT DEVELOPMENT PLANS PROPOSED IN CERTAIN AREAS OF THE TOWN OF SOUTHEAST, PURSUANT TO COMPLETION AND REVIEW OF A COMPREHENSIVE MASTER PLAN AND AMENDMENTS TO THE ZONING ORDINANCES CONTINGENT THEREON BY THE TOWN 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 and such public hearing was held on February 22, 2007; and

WHEREAS, the Town Board continues to work on amendments to the Zoning Code relating to commercial properties located along the Route 22 corridor; and

WHEREAS, it is the sense of this Town Board that a moratorium on development in the Rt. 22 North Corridor should remain in effect until such time as the requisite amendments to the Zoning Code can be enacted.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Southeast hereby adopts Local Law No. 2 of 2007 amending Local Law No. 1 of 2002, a copy of which is annexed hereto and made a part of this resolution, and be it further

RESOLVED, that the Town Clerk be and hereby is authorized and directed to enter said Local Law in the minutes of this meeting and in the Code Book of the Town of Southeast, and to give due notice of the adoption of said local law to the Secretary of State of New York within the time required by law.

UPON ROLL CALL VOTE:

Supervisor Dunford - Aye Councilman Johnson - Aye
Councilman Bonanno - Absent Councilman Honeck - Aye

Councilwoman Mitts - Aye

VOTE: carried by a vote of 4 in favor, 0 against; 0 abstained.

RESOLUTION # 12 /2007 LEASE OF BUILDING-1360 ROUTE

Introduced By: Councilman Honeck

Seconded By: Councilwoman Mitts

WHEREAS, in December 2006 the New York State Office of Court Administration, Division of Safety, conducted an audit of the Town's current Justice Court facility and concluded that, due to size constraints and configuration limitations, the existing Town Justice Court facilities are inadequate and present significant security issues for the judiciary, staff and public; and

WHEREAS, it is the desire of this Town Board to provide adequate and safe facilities so that the Town Justice Court can operate efficiently and in as safe a manner as possible; and

WHEREAS, toward this end, the Supervisor, on behalf of the Town of Southeast, has entered into negotiations with representatives of Putnam County Temple & Jewish Center, Inc. in connection with the potential lease by the Town of certain premises located at 1360 Route 22, Town of Southeast Tax Map No. 57.-2-31; and

WHEREAS, it has been determined that the Subject Premises can adequately serve the current needs of the Town Justice Court; and

WHEREAS, it is found and determined that there are sufficient surplus funds available to pay for the lease without having to encumber current tax revenues.

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor is hereby authorized to conclude negotiations for the lease of the former Temple Beth Elohim building and to execute a lease on behalf of the Town for such premises located at 1360 Route 22, also known as Tax Map No. 57.-2-31, and be it further

RESOLVED, that the clerk of the Town of Southeast be and she hereby is authorized to post and publish a copy of this resolution in the manner prescribed by law.

UPON ROLL CALL VOTE:

Supervisor Dunford - Aye Councilman Johnson - Aye

Councilman Honeck - Aye Councilwoman Mitts - Aye

Councilman Bonanno - Absent

VOTE: carried by a vote of 4 in favor, 0 against; 0 abstained.

**RESOLUTION # 13/2007 TERRAVEST RECREATION FACILITY
AUTHORIZATION TO AMEND DEVELOPMENT AGREEMENT- BALLFIELDS**

Introduced By: Supervisor Dunford

Seconded By: Councilman Honeck

WHEREAS, on or about February 1, 2002, the Town of Southeast entered into a certain "Development Agreement" with LAD Family Investments, LLC ("LAD"), wherein and whereby the Town would receive certain recreation lands in consideration for the Town undertaking certain

road improvements on Zimmer Road; and

WHEREAS, the Town has satisfactorily completed the requisite road improvements and LAD has completed the necessary conditions prerequisite for conveyance of the property to the Town as spelled out in the Development Agreement; and

WHEREAS, LAD has offered to improve the property as a "mass graded" standard and to complete other necessary site work contemplated in connection with completing the recreation facility prior to turning the property over to the Town; and

WHEREAS, the Town's consulting engineer has reviewed the proposal and has determined that the anticipated improvements to the property will be of substantial value and will represent a substantial cost savings to the Town.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Southeast hereby authorizes the Supervisor to execute an Amendment to the Development Agreement, together with and all other documentation necessary in connection therewith, reflecting the Town's understanding with LAD wherein and whereby LAD will further improve and enhance the Terravest Recreation Facility with the costs associated therewith offset by funds due and owing to the Town in connection with the residential component of the Terravest project.

UPON ROLL CALL VOTE:

Supervisor Dunford - Aye Councilman Johnson - Aye
Councilman Honeck - Aye Councilwoman Mitts - Aye
Councilman Bonanno - Absent

VOTE: carried by a vote of 4 in favor, 0 against; 0 abstained.

Respectfully submitted,

Ruth Argo Mazzei
Southeast Town Clerk