

**TOWN OF NORTH EAST
TOWN BOARD
REGULAR MEETING
JANUARY 9, 2020**

Councilpersons present:

Supervisor Christopher Kennan
Councilman Ralph Fedele
Councilman John Midwood
Councilwoman Lana Morrison
Councilman George Kaye

Councilpersons absent:

Call to order:

Supervisor Kennan called the meeting to order at 7:00 p.m. with the Pledge of Allegiance.

Acceptance of agenda:

On a motion by Councilman Fedele, seconded by Councilwoman Morrison, the following was:

ADOPTED – AYES – 4 (Kennan, Fedele, Midwood, Morrison)
NAYS – 0

RESOLVED, to accept the agenda.

Supervisor Kennan welcomed all to the first regular meeting of the year. He provided an update on the Community Development Block Grant award to make the Village and Town Halls ADA compliant. The Village is not proceeding with its renovations due to issues with the Village Hall. The Town has been advised by the County that this will not affect the Town's pursuit of the work needed at Town Hall. He also highlighted the three phases of the highway garage project, and said he would like to work on more active community e-mails and website updates.

Department and Committee Reports:

Police – Officer Rudin presented a report to the Board. He stated that as of January 1, 2020, the NYS Bail Reform Act has created excessive paperwork for all agencies and raised a number of other concerns.

Highway – Highway Superintendent Stevens presented a new Agreement for the Expenditure of Highway Moneys. This agreement reflects the money to be levied and collected in the Town for the repair and improvement of highways, and received from the state for State Aid for the repair and improvement of highways to be expended for general repairs in the amount of \$230,000 to be set aside and expended for primary work and general repairs upon 34.23 miles of town highways, including sluices, culverts, and bridges having a span of less than five feet and boardwalks or renewals thereof.

On a motion by Councilman Midwood, seconded by Councilwoman Morrison, the following was:

ADOPTED – AYES – 4 (Kennan, Fedele, Midwood, Morrison)
NAYS – 0

RESOLVED, to approve the Agreement for the Expenditure of Highway Moneys.

The salt and sand supplies are at average use at this point. The trucks are experiencing normal wear and tear.

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Assessor – No report.

Planning, Zoning, and Building Departments – Reports were distributed to the Board.

Town Clerk – Report was distributed to the Board.

Committee Activity – There is no committee activity.

Appointment to fill vacancy on Town Board:

On a motion by Councilman Fedele, seconded by Councilwoman Morrison, the following was:

ADOPTED – AYES – 4 (Kennan, Fedele, Midwood, Morrison)
NAYS – 0

RESOLVED, to appoint George Kaye to fill the vacant councilman position.

George Kaye took his oath and joined the Town Board.

Approval of dog kennel contract with Pine Plains Veterinary Associates:

Supervisor Kennan mentioned the contract with Pine Plains Veterinary Associates. This contract has been in existence and covers the dogs picked up by the Dog Control Officer. It provides for \$22.00 a day to care for the dogs.

On a motion by Councilman Fedele, seconded by Councilwoman Morrison, the following was:

ADOPTED – AYES – 5 (Kennan, Fedele, Kaye, Midwood, Morrison)
NAYS – 0

RESOLVED, to approve the dog kennel contract with Pine Plains Veterinary Associates.

Update on Winchell Mountain Road traffic issue:

On a motion by Councilman Kaye, seconded by Councilman Fedele, the following was:

ADOPTED – AYES – 5 (Kennan, Fedele, Kaye, Midwood, Morrison)
NAYS – 0

RESOLVED, to authorize Supervisor Kennan to write another letter to the State requesting a reduction in speed on Winchell Mountain and to distribute the letter widely to the County Executive, County Public Works Department, as well as, the State.

Acceptance of revisions to Town of North East Sign Law:

Clerk Wheeler read the following resolution into the record:

TOWN BOARD OF THE TOWN OF NORTH EAST

**RESOLUTION COMMENCING THE LOCAL LAW ADOPTION PROCESS FOR
LOCAL LAW NO. ___ OF 2020 ENTITLED: A LOCAL LAW AMENDING §180-55 of the
TOWN OF NORTH EAST CODE**

WHEREAS, The Town Board appointed a Zoning Review Committee consisting of Jon Arnason, as Chair, and Ralph Fedele, Lance Middlebrook, Greg Osofsky and Julie Schroeder, as members, to review the current provisions of §180-55 of the Town of North East Code relating to signs with a request that the Committee make recommendations to the Town Board for revisions

to the sign code to help insure that the sign law was content neutral, and consistent with the U.S. Supreme Court and New York State decisional law; and

WHEREAS, the Committee has reported back to the Town Board, and to the Attorney to the Town with its recommendations which included recommendation for a re-format of §180-55; and

WHEREAS, the Attorney to the Town has drafted a local law amending §180-55 of the current Town Code by repealing the entire section and substituting, in its place, a new §180-55 which incorporates the recommendations of the Committee; and

WHEREAS, the Town Board has reviewed the local law and has determined that it is acceptable for commencing the local law adoption process; and

WHEREAS, the Town Board has determined that this is a Type II action pursuant to SEQRA and not subject to environmental review.

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby schedules a public hearing on the adoption of Local Law No. __ of 2020 for February 13, 2020 at 7:20 p.m.; and be it further

RESOLVED, that the Town Clerk is hereby directed to send a copy of said proposed local law to the Dutchess County Department of Planning and Development in accordance with the requirements of §239-m of the General Municipal Law and to the Town Planning Board for its review and comments; and be it further

RESOLVED, that the Town Clerk is hereby directed to post and publish notice of said public hearing, as required by law, and to make available a copy of the proposed Local Law at the Town Clerk's office during regular business hours.

This motion was offered by Town Board member Kaye and was seconded by Town Board member Fedele.

MOTION: Councilman Kaye
SECOND: Councilman Fedele

SUPERVISOR KENNAN	Voted AYE
COUNCILMAN FEDELE	Voted AYE
COUNCILMAN KAYE	Voted AYE
COUNCILMAN MIDWOOD	Voted AYE
COUNCILWOMAN MORRISON	Voted AYE

The Resolution was carried by a 5-0 vote of the Town Board members on January 9, 2020.

Gail Wheeler,
Town Clerk, Town of North East

Request to speak from American Legion Post #178:

Sean Klay spoke on behalf of the American Legion Post #178. He presented a proposal to amend the Town of North East Sign Law. The American Legion wants the Town to include LED community message boards. He reviewed many sign ordinances currently in place across the county.

Standard Work Day and Reporting Resolution:

On a motion by Councilman Fedele, seconded by Councilwoman Morrison, the following was:

ADOPTED – AYES – 5 (Kennan, Fedele, Kaye, Midwood, Morrison)
NAYS – 0

RESOLVED, to approve the Standard Work Day and Reporting Resolution for Elected and Appointed Officials.

**Supervisor's Report:
Budget Adjustment –**

Supervisor Kennan presented Budget Adjustment #9 of 2019 dated January 9, 2020.

In the A Fund – General Town-wide: An expense increase of \$6,782 less an expense decrease of \$1,046 less a revenue increase of \$5,736 with a net of \$0.00.

On a motion by Councilman Fedele, seconded by Councilman Midwood, the following was:

ADOPTED – AYES – 5 (Kennan, Fedele, Kaye, Midwood, Morrison)
NAYS – 0

RESOLVED, to approve Budget Adjustment #9 of 2019 for the A Fund – General Town-wide.

In the B Fund – General Town Outside: An expense increase of \$133 less a revenue increase of \$133 with a net of \$0.00.

On a motion by Councilman Midwood, seconded by Councilwoman Morrison, the following was:

ADOPTED – AYES – 5 (Kennan, Fedele, Kaye, Midwood, Morrison)
NAYS – 0

RESOLVED, to approve Budget Adjustment #9 of 2019 for the B Fund – General Town Outside.

In the DB Fund – Highway Town Outside: An expense increase of \$10,244 less an expense decrease of \$10,244 with a net of \$0.00.

On a motion by Councilwoman Morrison, seconded by Councilman Fedele, the following was:

ADOPTED – AYES – 5 (Kennan, Fedele, Kaye, Midwood, Morrison)
NAYS – 0

RESOLVED, to approve Budget Adjustment #9 of 2019 for the DB Fund – General Town Outside.

Monthly Bills Abstract/Special Abstracts

Supervisor Kennan presented Special Abstract, dated December 20, 2019, totaling \$11,561.59, broken down as follows:

A Fund -	\$3,655.10
DB Fund -	\$7,758.36
Payroll T&A -	\$148.13

On a motion by Councilman Midwood, seconded by Councilman Kaye, the following was:

ADOPTED – AYES – 5 (Kennan, Fedele, Kaye, Midwood, Morrison)
NAYS – 0

RESOLVED, to approve Special Abstract, dated December 20, 2019, totaling \$11,561.59.

Supervisor Kennan presented Abstract, dated December 31, 2019, totaling \$63,720.42, broken down as follows:

A Fund -	\$6,430.21
B Fund -	\$1,984.13
DB Fund -	\$46,536.26
Capital Projects H1 -	\$5,454.82
T&A2 Escrow -	\$3,315.00

On a motion by Councilman Fedele, seconded by Councilman Midwood, the following was:

ADOPTED – AYES – 5 (Kennan, Fedele, Kaye, Midwood, Morrison)
NAYS – 0

RESOLVED, to approve Abstract, dated December 31, 2019, totaling \$63,720.42.

Supervisor Kennan presented Abstract, dated January 9, 2020, totaling \$36,091.13, broken down as follows:

A Fund -	\$32,788.76
B Fund -	\$969.67
DB Fund -	\$2,212.70
Water District SW1 -	\$120.00

On a motion by Councilman Fedele, seconded by Councilman Midwood, the following was:

ADOPTED – AYES – 5 (Kennan, Fedele, Kaye, Midwood, Morrison)
NAYS – 0

RESOLVED, to approve Abstract, dated January 9, 2020, totaling \$36,091.13.

Voucher Committee for February 2020 –

The Voucher Committee for February 2020 will be Councilwoman Morrison and Councilman Kaye.

Approval of Minutes from previous meetings:

Last week’s meeting minutes are being drafted.

Meeting with Counsel if needed:

General legal matters –

Supervisor Kennan expressed he intended to request an Executive Session at the end of the meeting without Attorney Replansky.

General comment period:

Tom Parrett asked what happens after the American Legion’s presentation. Supervisor Kennan said the Town will schedule a public hearing on the new law, at which time everything connected with signs, including the Legion’s interest, can be discussed.

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Sam Busselle gave an update on the Tri-Town Coalition for Housing. They are working on having monthly meetings at a local level pertaining to finding ways to create more affordable housing, and general education meetings once a quarter. The first general education meeting will be on January 28, 2020 and the topic will be part-time rentals and the zoning implications.

On a motion by Councilman Midwood, seconded by Councilwoman Morrison, the following was:

ADOPTED – AYES – 5 (Kennan, Fedele, Kaye, Midwood, Morrison)
NAYS – 0

RESOLVED, to go into Executive Session for the purpose of medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person.

On a motion by Councilman Fedele, seconded by Councilman Kaye, the following was:

ADOPTED – AYES – 5 (Kennan, Fedele, Kaye, Midwood, Morrison)
NAYS – 0

RESOLVED, to return to the regular meeting at 8:46 p.m.

Adjournment:

On a motion by Councilwoman Morrison, seconded by Councilman Kaye, the following was:

ADOPTED – AYES – 5 (Kennan, Fedele, Kaye, Midwood, Morrison)
NAYS – 0

RESOLVED, to adjourn the meeting at 8:47 p.m.

Respectfully submitted,

/s/

Gail J. Wheeler
Town Clerk

Approved: 02/13/2020