

**TOWN OF NORTH EAST
TOWN BOARD
REGULAR MEETING
JULY 12, 2018**

Councilmen present:

Supervisor George Kaye
Councilman John Merwin
Councilman Ralph Fedele
Councilman Christopher Kennan
Councilman John Midwood

Councilmen absent:

Call to Order:

Supervisor Kaye called the meeting to order at 7:00 p.m. followed by the Pledge of Allegiance.

Acceptance of Agenda:

Supervisor Kaye wanted to amend the agenda to consider a resolution and the award of a contract for the culvert on Lower Mill Road.

On a motion by Councilman Merwin, seconded by Councilman Kennan, the following was:

ADOPTED - AYES - 5 (Kaye, Merwin, Fedele, Kennan, Midwood)
NAYS - 0

RESOLVED, to accept the agenda as amended.

Public Comment on Agenda Items Only:

No comments.

Department and Committee Reports:

Police – Officer Rudin reported the total incidents for the month of June was 111. There were 28 in the Town and 83 in the Village. There were eight arrests, two were in the Town and six were in the Village. One arrest in Town was for DWI and the other was for a suspended license. As compared to this time in 2017, there were 81 total incidents. There were 18 in the Town, 63 in the Village, 10 arrested in the Village and five arrested in the Town. Also noted was that DWI arrests were down. Officer Rudin also stated that August 1st through August 8th is going to be the speeding initiative sponsored by New York State.

Highway – Superintendent Stevens reported that the new Bobcat Skid Steer was delivered, training has been done, and he will be working with it next week.

Assessor – Assessor Johnson reported results from Grievance Day. There were six representatives/owners with a total of 16 parcels. The Board gave partial or full relief to six parcels and the rest were denied. The roll was finalized, sent to the County, and presented to the Town Clerk on July 1st. The tentative rate from the State for the 2018 roll will be 100% equalization. The final rate should be received from the State soon.

Planning, Zoning, and Building Departments – A report was provided from each department.

Town Clerk – The report was on the table.

Committee Activity – Supervisor Kaye and Councilman Kennan have been attending the Climate Smart Activity Group. Councilman Kennan reported that Climate Smart is a New York State program that sets a list of activities that communities can pursue to improve the environment. The program provides grant opportunities with approval from the Board. The Town will be applying for its first grant. The Town Board has designated the Conservation Advisory Committee to be the implementing task force and for Dianne Engleke to be Coordinator. The Town and Village have policies and plans for which a review would need to be done to address disaster preparedness. The cost of the first project would be \$9,057.00. The second would be road stream crossings, which would include inventory and assessment of structures in the field working with Town and Village staff. The cost for this study would be \$13,150.00. The third initiative would be a greenhouse gas emissions inventory. The cost would be \$12,500.00. The Conservation Advisory Committee and Town Board members have been meeting with the Housatonic Valley Association and they are willing to assist us in applying for a grant to help with some of the cost.

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

ADOPTED BY ROLL CALL VOTE:

Supervisor George Kaye	AYE
Councilman John Merwin	AYE
Councilman Ralph Fedele	AYE
Councilman Christopher Kennan	AYE
Councilman John Midwood	AYE

RESOLVED, to accept the resolution to prepare and submit a grant application to the NYS DEC Climate Smart Communities program.

Councilman Midwood gave an update on the Ambulance Service Task Force. The North East/Dutchess EMS study is looking to seek an evaluation of existing EMS services in the towns of Amenia, Dover, North East, and the Village of Millerton in an effort to improve response time, patient care, patient delivery, and save money. Councilman Midwood is a member of the Steering Committee and has met with the consultant that helped with the study. They have also met with the North East Fire Department and interviewed almost 30 individuals, representatives from the four fire departments, the County, Sharon Hospital, and Northern Dutchess paramedics. A website for more information can be found at www.cgrorg/nedems. Remaining to be done are surveys to be completed by all current fire department personnel and emergency medical technicians, completing report, and sharing report with appropriate audiences. Supervisor Kaye indicated that this report is supposed to be done by the end of August to be included in budgeting for next year.

Update on Comprehensive Plan Update Committee:

Edith Greenwood stated this report is to be given to the Village at their next meeting. The Committee is pleased with the consultant. The process is broken down into three phases. Phase 1 was to gather public input, which has been completed. Phase 2 was a draft vision statement, which was completed. At the last meeting, 10 goals were developed. At the next meeting, strategies will be drafted to meet the goals. Phase 3 was to collect GIS or mapping information. The Town and Village have become members of the New York State Data Sharing Cooperative. Strategizing and organizing should continue on well into the fall. There will be two public hearings. The first will be with the committee to rewrite, as needed, the draft document. The second hearing will be jointly with both the Town and Village for any reworking that's necessary. It will then go to the County Planners for review and then back to respective boards for adoption.

Announcement of Receipt of Funding from the Offices of State Assemblywoman Didi Barrett and State Senator Sue Serino of \$200,000 to Purchase a Weed Harvester for Rudd Pond:

Purchasing of a weed harvester has to go out for bid to include certain specifications that are required by the State. There is insufficient funding for a weed rake at this time. In the Town's plan for the Highway Garage, an additional bay was included to store the weed harvester and would be for use only at Rudd Pond.

Renewal of Direct Energy Contract:

Last year, the Town contracted with Direct Energy for its energy source and saved a fair amount of money. The contract is due the end of the month and Supervisor Kaye would like to renew for a two-year period.

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

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

RESOLVED, to renew Direct Energy contract.

Resolution and Award of contract for culvert on Lower Mill Road:

The project went out to bid for the first time with no responses. The second time there were two responses. The first was from A. Colarusso and Sons, Inc. in the amount of \$392,000.00 and the second was from Sun Up Enterprises in the amount of \$472,100.00. The Town received a grant from the County for \$225,000.00. There is CHIPS money in the amount of \$84,280.36 and the Highway Department Fund has \$82,719.44 for this project. A letter from Morris Associates indicated the bid from A. Colarusso and Sons, Inc. was acceptable and recommended.

**TOWN OF NORTH EAST
TOWN BOARD
RESOLUTION**

At the Regularly Scheduled Monthly Town Board meeting of the Town of North East held at the Town Hall, 19 North Maple Avenue, Millerton, New York, on July 12th, 2018, there were:

PRESENT: Supervisor George Kaye
Councilman John Merwin
Councilman John Midwood
Councilman Ralph Fedele
Councilman Chris Kennan

ABSENT:

WHEREAS, the Town Board has previously received information from the Town Highway Superintendent that the existing culvert serving Mill Road that carries a tributary to the Wappingers Creek, has outlived its useful life and is in need of replacement; and,

WHEREAS, Morris Associates Engineering and Surveying Consultants, PLLC, has prepared bid documents, along with proposed request for proposal documents, and have delineated the project labeled as the Town of North East Mill Road Culvert Replacement; AND,

WHEREAS, the Town received formal bids on or before June 28, 2018 from two (2) contractors for the construction of the work as called for by the bid documents; AND,

WHEREAS, Morris Associates as Town Engineer has reviewed the bid price and the apparent low bidder's qualifications; AND,

WHEREAS, the Town received a recommendation from Morris Associates Engineering and Surveying Consultants, PLLC, regarding the award of the bid,

NOW, THEREFORE, ON MOTION OF Councilman John Merwin, SECONDED BY Councilman John Midwood, IT IS RESOLVED AS FOLLOWS:

1. This Town Board award the project known as the Town of North East Mill Road Culvert Replacement, to A. Colarrusso and Sons, Inc., for the amount of \$392,000.00, and authorizes the Supervisor to sign the Notice of Award and enter the Town into contractual obligations;
2. During the permitting process, the NYSDEC determined that the project and it is exempt from further SEQRA action, being a Type II action, which did not exceed the threshold of Section 617.12 of 6NYCRR Part 617, and no further environmental proceedings are necessary;
3. Morris Associates Engineering and Surveying Consultants, PLLC, be, and they hereby are, authorized to oversee and inspect the construction for compliance with the contract documents.
4. The project shall be funded from grant funds received from the County of Dutchess, 2017 New York State CHIPS funds, and line item DB5112.4 - Permanent Improvement CE from the Town Highway Budget.

The vote: 5 AYES _____ NAYS _____ ABSTENTIONS

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

ADOPTED BY ROLL CALL VOTE:

Supervisor George Kaye	AYE
Councilman John Merwin	AYE
Councilman Ralph Fedele	AYE
Councilman Christopher Kennan	AYE
Councilman John Midwood	AYE

The resolution was declared adopted.

Appointment of Climate Smart Community Coordinator

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

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

RESOLVED, to appoint Dianne Engleke Climate Smart Community Coordinator.

Creation of an Internal Green Team Focused on Climate Mitigation and Adoption:

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

ADOPTED – AYES – 4 (Kaye, Merwin, Fedele, Midwood)
NAYS – 0
ABSTAIN – 1 (Kennan)

RESOLVED, to appoint Lisa Cope, Robert Stevens and Councilman Kennan to Internal Green Team.

Meeting with Counsel:

General Legal Matters – Attorney Replansky received the final version of the solar law from the Committee. The law needs to be changed and an amendment to the Town code needs to be done. He plans to have this ready by the next Town meeting in August. Following that, a SEQRA review will be done and a public hearing held. This would then be submitted to Dutchess County Planning and Development and returned to the Town Planning Board for review. Attorney Replansky discussed the PILOT program (Payment In Lieu Of Taxes). This program would apply to Solar Farms and not residential. An information packet will be given to the Assessor for her input.

Executive Session:

Attorney/Client Session – Supervisor Kaye stated a legal matter would be discussed.

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

ADOPTED BY ROLL CALL VOTE:

Supervisor George Kaye	AYE
Councilman John Merwin	AYE
Councilman Ralph Fedele	AYE
Councilman Christopher Kennan	AYE
Councilman John Midwood	AYE

RESOLVED, to go into Attorney/Client Session to discuss legal matter at 8:10 pm.

Supervisor Kaye made a request to return to the regular session.

On a motion made by Councilman Kennan, seconded by Councilman Ralph Fedele, the following was:

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

RESOLVED, to return to regular session at 8:30 pm.

Supervisor's Report:

Budget Adjustment –

Supervisor Kaye presented Budget Adjustment #5 for 2018.

From A Fund: An expense increase of \$3,200 less an expense decrease of \$1,200 less a revenue increase of \$2,000 with a net of \$0.

From DB Fund: An expense increase of \$135,133 less a revenue increase of \$135,133 with a net of \$0.

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

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

RESOLVED, to approve Budget Adjustment #5 of 2018.

Monthly Bills Abstract/Special Abstracts

Supervisor Kaye presented Special Abstract, dated June 19, 2018, totaling \$513.14, broken down as follows:

A Fund -	\$302.99
Payroll T&A -	\$210.15

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

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

RESOLVED, to approve Special Abstract, dated June 19, 2018, totaling \$513.14.

Supervisor Kaye presented Abstract, dated July 12, 2018, totaling \$66,372.03, broken down as follows:

A Fund -	\$40,804.08
B Fund -	\$2,369.51
DB Fund -	\$23,198.44

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

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

RESOLVED, to approve Abstract, dated July 12, 2018, totaling \$66,372.03.

Voucher Committee for August 2018 –

The Voucher Committee for August 2018 will be Councilmen Kennan and Merwin.

Approval of Minutes from previous meetings:

The Town Board reviewed the minutes of May 30, 2018. Councilman Midwood said there was one typographical error.

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

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

RESOLVED, to accept the minutes of May 30, 2018 with typographical error corrected.

The Town Board reviewed the minutes of June 14, 2018.

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

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

RESOLVED, to accept the minutes of June 14, 2018.

General Comment Period:

Edith Greenwood asked about the Climate Smart Initiative. She wanted to know if the Town would be working with the Village on this initiative. Supervisor Kaye said the Town is working on an inter-municipal agreement with the Village.

Bill Kish asked the purpose of the Attorney/Client Session. Supervisor Kaye explained that one part of the Executive Session was a personnel issue. The second part was Attorney/Client privilege to discuss the parameters of a Town matter.

Adjournment:

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

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

RESOLVED, to adjourn the meeting at 8:40 pm.

Respectfully submitted,

/s/

Marcella Wheatley
Deputy Town Clerk

Approved: 6/11/2020