

**TOWN OF NORTH EAST
TOWN BOARD
REGULAR MEETING
OCTOBER 8, 2020**

Councilpersons present:

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

Councilpersons absent:

The October 8, 2020 meeting was held live and by Zoom web conference at the NorthEast-Millerton Library Annex.

Call to Order & Pledge of Allegiance:

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

Roll Call:

Supervisor Kennan asked Clerk Wheeler for a roll call of Town Board members.

SUPERVISOR KENNAN:	HERE
COUNCILMAN FEDELE:	HERE
COUNCILMAN KAYE:	HERE
COUNCILMAN MIDWOOD:	HERE
COUNCILWOMAN MORRISON:	HERE

A quorum was present.

**RESOLUTION #1612020
Amend the October 8, 2020 Meeting Agenda**

RESOLVED, to amend the agenda by adding the highway facility fence bid.

Motion by Councilman Fedele and seconded by Councilman Kaye.

AYES – 5 (Kennan, Fedele, Kaye, Midwood, Morrison)

NAYS – 0

The Resolution was adopted on October 8, 2020.

Supervisor's Comments:

- Latest information about COVID-19 in Dutchess County and the new drop box and potential purchase of an air purifier for Town Hall to aid in the safety measures already in place.
- Town Hall e-mail addresses will be migrating to a “townofnortheastny.gov” e-mail address later this month. All existing e-mails will automatically forward to the new address and will do so for at least the next year.
- IT provided an estimate of \$5,414.52 to upgrade auxiliary equipment.
- The Fire District has raised the issue of emergency access on the northern portion of Rail Trail.

- Recommendation in the Comprehensive Plan to establish an Economic Development Committee, Agricultural Advisory Committee, and a Housing Committee. A number of people have expressed interest in joining.
- Town Board members received a brochure about the Eddie Collins' Park renovation.
- Seeking people to engage in a Broadband Committee.
- The recreation contract has been signed and thanked the committee.
- Review of fees pertaining to genealogical searches, recreation, and those paid to the Town for subdivisions. Town Board to review next month.
- Bulk Trash Day is planned for October 17, 2020. Electronics will be going to Dutchess County as a courtesy of Andrew Stayman and Kathy Chow.
- Revised Town Board committees list was sent to the Board.

Department and Committee Reports:

Police – Officer Rudin provided a report reflecting 69 incidents during September. The Village had 45 incidents resulting in two arrests and the Town had 24 incidents resulting in one arrest. Seventeen incidents in the Village pertained to the Dutchess County bicycle helmet donation program deployment. Last year, the Village had 17 incidents resulting in two arrests and the Town had 15 incidents resulting in three arrests.

Highway – Superintendent Stevens presented an amended 284 Agreement. He adjusted item 2(a) to reflect the actual total cost of \$107,515.51 for the Mill Road paving project. He added item 2(b) for the Sawchuck Road guiderail replacement project in the amount of \$44,078.

RESOLUTION #1622020

Approve Amended Agreement for the Expenditure of Highway Moneys

RESOLVED, to approve the Agreement for the Expenditure of Highway Moneys as amended by Bob Stevens.

Motion by Councilman Midwood and seconded by Councilwoman Morrison.

AYES – 5 (Kennan, Fedele, Kaye, Midwood, Morrison)

NAYS – 0

The Resolution was adopted on October 8, 2020.

Superintendent Stevens mentioned the \$1,575 bid for the 550 gallon gasoline tank and the \$1,550 bid for the 550 gallon diesel tank from Auctions International.

RESOLUTION #1632020

Accept Results of Bids for Highway Garage Tanks

RESOLVED, to accept results of the bids for the highway garage tanks.

Motion by Councilman Midwood and seconded by Councilwoman Morrison.

AYES – 5 (Kennan, Fedele, Kaye, Midwood, Morrison)

NAYS – 0

The Resolution was adopted on October 8, 2020.

Assessor – Assessor Johnson was present via Zoom and stated the office is entering exemption season. Since town Hall is closed, except by appointment, residents should call ahead for arrangements.

Planning, Zoning & Building Dept. – Reports for Zoning Board of Appeals and the Building Department were submitted to the Town Board.

Town Clerk – Reports were submitted to the Town Board.

Town Board Committee Reports:

Highway – Councilman Kaye stated the sand and salt shed is complete and operational. Work is underway on the DOT entrance. The excavation work is nearly complete.

Police Services – Supervisor Kennan stated the contract will be reviewed during the appropriate agenda item.

Recreation – Councilman Midwood stated the contract was signed.

Zoning Review Committee – Supervisor Kennan stated there was an agenda item for the contract with Matthew D. Rudikoff Associates, Inc.

Hearing on Local Law #1 to Exceed the Tax Cap (7:20 p.m.) and Approval of Local Law #1:

RESOLUTION #1642020
Open Public Hearing on Local Law #1 to Exceed Tax Cap

RESOLVED, to open the public hearing at 7:37 p.m.

Motion by Councilman Midwood and seconded by Councilwoman Morrison.

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

The Resolution was adopted on October 8, 2020.

There were no public comments.

RESOLUTION #1652020
Close Public Hearing on Local Law #1 to Exceed Tax Cap

RESOLVED, to close the public hearing at 7:38 p.m.

Motion by Councilman Kaye and seconded by 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 adopted on October 8, 2020.

RESOLUTION #1662020
TOWN BOARD OF THE TOWN OF NORTH EAST

**RESOLUTION ADOPTING A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT
FOR FISCAL YEAR 2021 PURSUANT TO GENERAL MUNICIPAL LAW §3-c AS
LOCAL LAW NO. 1 OF THE YEAR 2020**

WHEREAS, the Town Board determined that it may be necessary for the Town of North East to exceed the limit on the amount of real property taxes that may be levied by the Town of

North East pursuant to General Municipal Law §3-c for fiscal year 2021; and

WHEREAS, the Town Board by Resolution dated September 10, 2020 accepted a proposed Local Law to override the tax levy limits for fiscal year 2021 pursuant to General Municipal Law §3-c for commencement of the Local Law adoption process; and

WHEREAS, the Town Board scheduled and duly noticed a public hearing on said Local Law to be held on October 8, 2020 at the NorthEast-Millerton Library Annex; and

WHEREAS, the Town Board opened the public hearing and heard comments on said Local Law and closed the public hearing on October 8, 2020; and

WHEREAS, the Town Board has determined that this action is a Type II action under SEQRA and does not require environmental reviews; and

WHEREAS, the Town Board has determined that it is in the best interests of the Town of North East to adopt this Local Law.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby adopts Local Law No. 1 of 2020 entitled “A Local Law to Override the Tax Levy Limit for the Fiscal Year 2021 Pursuant to General Municipal Law §3-c”; and it is further

RESOLVED, that the Town Clerk is hereby directed to file said Local Law in the Office of the Department of State, as required by law.

WHEREUPON, the above Resolution was offered by Town Board member Ralph Fedele and was seconded by Town Board member Lana Morrison and the vote was as follows:

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

This Resolution was declared duly adopted on October 8, 2020.

Hearing on Water District Benefit Assessment Roll (7:30 p.m.) and Approval of Assessment Roll:

RESOLUTION #1672020
Open Public Hearing on Water District Benefit Assessment Roll

RESOLVED, to open the public hearing at 7:39 p.m.

Motion by Councilwoman Morrison and seconded by Councilman Midwood.

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

The Resolution was adopted on October 8, 2020.

There were no public comments.

RESOLUTION #1682020
Close Public Hearing on Water District Benefit Assessment Roll

RESOLVED, to close the public hearing at 7:39 p.m.

Motion by Councilman Kaye and seconded by 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 adopted on October 8, 2020.

RESOLUTION #1692020
Approve Water District Benefit Assessment Roll

RESOLVED, to approve the Water District #1 Benefit Assessment Roll.

Motion by Councilman Kaye and seconded by Councilwoman Morrison.

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

The Resolution was adopted on October 8, 2020.

Presentation of Town of North East 2021 Tentative Budget and Set Public Hearing for November 12, 2020:

RESOLUTION #1702020
Accept Tentative Budget and Set Public Hearing Date

RESOLVED, to accept the Tentative Budget and set the public hearing date on November 12, 2020 at 7:30 p.m.

Motion by Councilman Midwood and seconded by Councilman Fedele.

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

The Resolution was adopted on October 8, 2020.

Highway Facility Fence Bid:

Supervisor Kennan reviewed a letter received from Ray Jurkowski, Town Engineer, recommending the single sealed bid for the highway facility fence. The project includes the installation of a chain link fence along the front property line along with a sliding truck gate at the entrance of the new highway facility.

The bid was received from Siena Fence Company from Clifton Park in the amount of \$65,230.

RESOLUTION #1712020
Acceptance of Bid from Siena Fence Company for the Highway Facility Fence

RESOLVED, to accept the bid from Siena Fence for the fencing in the amount of \$65,230.

Motion by Councilman Kaye and seconded by Councilman Midwood.

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

The Resolution was adopted on October 8, 2020.

Motion to Authorize Supervisor to Sign Police Services Contract with Village of Millerton:

RESOLUTION #1722020
Authorize Supervisor to Sign Police Services Contract with Village of Millerton

RESOLVED, to authorize Supervisor to sign the Police Services Contract with the Village of Millerton.

Motion by Councilman Fedele and seconded by Councilwoman Morrison.

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

The Resolution was adopted on October 8, 2020.

Approval of Kennel Contract with Pine Plains Veterinary Associates:

RESOLUTION #1732020
Approval of Kennel Contract with Pine Plains Veterinary Associates

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

Motion by Councilwoman Morrison and seconded by Councilman Kaye.

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

The Resolution was adopted on October 8, 2020.

Approval of Consulting Contract with Matthew D. Rudikoff Associates/Zoning Review Committee:

Clerk Wheeler read the following:

RESOLUTION #1742020
TOWN BOARD OF THE TOWN OF NORTH EAST

**RESOLUTION AUTHORIZING THE TOWN SUPERVISOR TO EXECUTE A
PROFESSIONAL SERVICES ENGAGEMENT CONTRACT WITH MATTHEW D.
RUDIHOFF ASSOCIATES, INC.**

WHEREAS, the Town of North East recently updated its Comprehensive Plan; and

WHEREAS, the Town Board has noted that the Town's Zoning Code is in substantial need of revision and further that §272-a of the Town Law requires all Town land use regulations to be consistent with its Comprehensive Plan; and

WHEREAS, the Town has appointed a Zoning Review Committee to work with a professional planner in providing recommended amendments to the Town Board for the Town's Zoning and Subdivision Codes; and

WHEREAS, the Town has solicited proposals from qualified planning firms to provide the necessary professional services to assist the Zoning Review Committee and Town Board in the adoption of amendments to the Town Code; and

WHEREAS, the Town Board, with the advice of the Zoning Review Committee, has selected Matthew D. Rudikoff Associates, Inc. (“MDRA”) to provide such services; and

WHEREAS, MDRA has submitted a proposed Contract to the Town, which has been reviewed and amended by the Attorney to the Town.

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Town Supervisor to execute a Contract for Professional Services with Matthew D. Rudikoff Associates, Inc. for professional services in conjunction with the update and amendment to the Town’s Zoning and Subdivision Codes, in the same, or substantially similar form, as submitted to the Town Board for its review.

Motion was offered by Town Board member Ralph Fedele and was seconded by Town Board member John Midwood.

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 October 8, 2020.

Appointment of Virginia Wheatley as Clerk to the Justices:

RESOLUTION #1752020
Appointment of Virginia Wheatley as Clerk to the Justices

RESOLVED, to appoint Virginia Wheatley as clerk to the justices retroactive to September 21, 2020.

Motion by Councilwoman Morrison and seconded by Councilman Fedele.

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

The Resolution was adopted on October 8, 2020.

Approval of Minutes of Town Board Meeting of September 10, 2020:

RESOLUTION #1762020
Approval of September 10, 2020 Minutes

RESOLVED, to approve the minutes of September 10, 2020.

Motion by Councilman Midwood and seconded by Councilwoman Morrison.

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

The Resolution was adopted on October 8, 2020.

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

**RESOLUTION #1772020
Approval of Budget Adjustment #6 of 2020**

RESOLVED, to approve Budget Adjustment #6 of 2020 as follows:

In A Fund – General Town-wide, there is an expense increase of \$2,689 minus an expense decrease of \$2,689 resulting in a net of \$0.

In DB Fund – Highway Town Outside, there is an expense decrease of \$23,817 minus a revenue decrease of \$23,817 resulting in a net of \$0.

Motion by Councilman Fedele and seconded by Councilman Kaye.

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

The Resolution was adopted on October 8, 2020.

Monthly Bills Abstract/Special Abstracts –

**RESOLUTION #1782020
Approval of Special Abstract Dated September 11, 2020**

RESOLVED, to approve Special Abstract, dated September 11, 2020, totaling \$2,991.60, broken down as follows:

Capital Projects H1 \$2,991.60

Motion by Councilwoman Morrison and seconded by Councilman Midwood.

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

The Resolution was adopted on October 8, 2020.

**RESOLUTION #1792020
Approval of Special Abstract Dated September 25, 2020**

RESOLVED, to approve Special Abstract, dated September 25, 2020, totaling \$9,047.62, broken down as follows:

A Fund -	\$2,067.09
DB Fund -	\$6,980.53

Motion by Councilman Kaye and seconded by Councilwoman Morrison.

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

The Resolution was adopted on October 8, 2020.

**RESOLUTION #1802020
Approval of Abstract Dated October 8, 2020**

RESOLVED, to approve Abstract, dated October 8, 2020, totaling \$161,424.68, broken down as follows:

Town of North East
Town Board
Minutes
October 8, 2020

A Fund -	\$46,150.76
B Fund -	\$1,261.76
DB Fund -	\$30,918.43
Capital Projects H1	\$79,683.53
Special Grant Fund	\$1,694.04
Escrow T&A2	\$1,552.50
Payroll T&A	\$163.66

Motion by Councilman Fedele and seconded by Councilwoman Morrison.

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

The Resolution was adopted on October 8, 2020.

Voucher Committee for November 2020 –

The Voucher Committee for November is Ralph Fedele and George Kaye.

Public Comment:

Bill Kish inquired about the Police Services Committee in relation to the Open Meetings Law.

Adjournment:

**RESOLUTION #1812020
Adjournment of October 8, 2020 Meeting**

RESOLVED, to adjourn the meeting at 8:21 p.m.

Motion by Councilman Kaye and seconded by Councilwoman Morrison.

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

The Resolution was adopted on October 8, 2020.

Respectfully submitted,

/s/

Gail J. Wheeler
Town Clerk

Approved: 11/12/2020