

**TOWN OF NORTH EAST
TOWN BOARD
REGULAR MEETING
DECEMBER 10, 2020**

Councilpersons present:

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

Councilpersons absent:

The December 10, 2020 meeting was held live and by Zoom web conference at the North East-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.

Acceptance of Agenda:

**RESOLUTION #1952020
Acceptance of Agenda**

RESOLVED, to accept the agenda.

Motion by Councilman Fedele and seconded by Councilwoman Morrison.

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

The Resolution was adopted on December 10, 2020.

Department and Committee Reports:

Police – Officer Rudin provided a report reflecting 33 incidents during November. The Village had 15 incidents resulting in one arrest and the Town had 18 incidents resulting in two arrests.

Councilman Kaye inquired about the sign vandalism. Officer Rudin stated there are no leads at this time.

Supervisor Kennan discussed the following:

- More progress has been made on the highway garage. There is a site plan and CPL made a presentation to the Planning Board.
- Engineer to the Town Jurkowski has indicated the speed study for Winchell Mountain Road is complete.
- Broadband availability is limited in town. Ancram, Pine Plains, and Amenia have active committees and Didi Barrett suggested joining with those committees to address issues.
- Sam Busselle is interested in discussing housing.
- There may need to be a workshop meeting before the end of the year.

Highway – Superintendent Stevens was not present. Supervisor Kennan mentioned the bid results for the highway materials were submitted to the Town Board and Superintendent Steven's recommendations were in bold.

<u>F.O.B. PRICES</u>	(13.71 MILES) HARLEM <u>VALLEY S & G</u>	(19.6 MILES) RED WING <u>PROPERTIES</u>	(26 MILES) COLARUSSO <u>S & G</u>	(28 MILES) PECKHAM <u>PLEASANT VALLEY</u>
ITEM 4 GRAVEL	\$13.75 / TON	NO BID	NO BID	NO BID
DRY SCREENED SAND	NO BID	NO BID	NO BID	\$16.00 / TON
WASHED SAND	\$11.45 / TON**	\$9.00 / TON	\$13.25 / TON	\$16.00 / TON
SCREENED TOP SOIL	NO BID	\$25.00 / TON	NO BID	NO BID
BANK RUN GRAVEL	\$10.95 / TON	\$9.00 / TON	NO BID	NO BID
TAILINGS	\$14.50 / TON	\$11.00 / TON	\$8.75 / TON	NO BID

** Primary Vendor

<u>DELIVERED PRICES</u>	<u>COLARUSSO</u>	<u>HARLEM</u>	<u>RED WING</u>	<u>PECKHAM</u>
ITEM 4 GRAVEL	NO BID	\$17.75 / TON	NO BID	NO BID
DRY SCREENED SAND	NO BID	NO BID	NO BID	\$24.00 / TON
WASHED SAND	\$20.75 / TON	\$15.45 / TON	\$15.00 / TON**	\$24.00 / TON
SCREENED TOP SOIL	NO BID	NO BID	\$31.00 / TON	NO BID
BANK RUN GRAVEL	NO BID	\$14.95 / TON	\$15.00 / TON	NO BID
TAILINGS	\$16.25 / TON	\$18.50 / TON	\$17.00 / TON	NO BID

** Primary vendor

<u>GRAVEL STONE (FOB)</u>	(13.71 MILES) HARLEM <u>VALLEY S & G</u>	(19.6 MILES) RED WING <u>PROPERTIES</u>	(26 MILES) COLARUSSO <u>S & G</u>
1/4" WASHED CRUSHED STONE	\$14.50 / TON	NO BID	NO BID
3/8" WASHED CRUSHED STONE	\$14.50 / TON	NO BID	NO BID
3/4" WASHED CRUSHED STONE	\$16.00 / TON	NO BID	NO BID
1 1/4" WASHED CRUSHED STONE	\$16.25 / TON	NO BID	NO BID
1/4" WASHED STONE	NO BID	NO BID	NO BID
3/8" WASHED STONE	NO BID	\$13.00 / TON	NO BID
1/2" WASHED STONE	NO BID	NO BID	\$9.75 / TON
3/4" WASHED STONE	NO BID	\$13.00 / TON	NO BID
1" WASHED STONE	NO BID	\$13.00 / TON	NO BID
1 1/2" WASHED STONE	NO BID	NO BID	NO BID

<u>GRAVEL STONE DELIVERED</u>	<u>HARLEM VALLEY S & G</u>	<u>RED WING PROPERTIES</u>	<u>COLARUSSO S & G</u>
1/4" WASHED CRUSHED STONE	\$18.50 / TON	NO BID	NO BID
3/8" WASHED CRUSHED STONE	\$18.50 / TON	NO BID	NO BID
3/4" WASHED CRUSHED STONE	\$20.00 / TON	NO BID	NO BID
1 1/4" WASHED CRUSHED STONE	\$20.25 / TON	NO BID	NO BID
1/4" WASHED STONE	NO BID	NO BID	NO BID
3/8" WASHED STONE	NO BID	\$19.00 / TON	NO BID
1/2" WASHED STONE	NO BID	NO BID	\$17.25 / TON
3/4" WASHED STONE	NO BID	\$19.00 / TON	NO BID
1" WASHED STONE	NO BID	\$19.00 / TON	NO BID
1 1/2" WASHED STONE	NO BID	NO BID	NO BID

<u>QUARRY STONE</u>		
<u>CRUSHED STONE PRICES (FOB)</u>	<u>(27 MILES) COLARUSSO</u>	<u>(28 MILES) PECKHAM</u>
1/4" WASHED STONE	\$12.25 / TON	\$15.00 / TON
3/8" WASHED STONE	NO BID	\$15.00 / TON
1/2" WASHED STONE	\$12.00 / TON	NO BID
3/4" WASHED STONE	NO BID	\$15.00 / TON
1 1/2" WASHED STONE	NO BID	\$15.00 / TON
1/2" & 3/4" MIXED WASHED STONE	\$11.765 / TON	NO BID
3/4" STONE	\$11.50 / TON	NO BID
1 1/2" STONE	\$11.50 / TON	NO BID
SCREENINGS (STONE DUST)	\$9.00 / TON	NO BID
SCREENFILL	\$9.00 / TON	NO BID
ITEM #4 (CRUSHER RUN)	\$9.90 / TON	\$15.00 / TON
GABION STONE (6" - 10")	\$11.50 / TON	NO BID
SURGE STONE (8" MINUS)	\$11.25 / TON	NO BID

QUARRY STONE

<u>CRUSHED STONE PRICES DELIVERED</u>	<u>COLARUSSO</u>	<u>PECKHAM</u>
1/4" WASHED STONE	\$19.50 / TON	\$23.00 / TON
3/8" WASHED STONE	NO BID	\$23.00 / TON
1/2" WASHED STONE	\$19.25 / TON	NO BID
3/4" WASHED STONE	NO BID	\$23.00 / TON
1 1/2" WASHED STONE	NO BID	\$23.00 / TON
1/2" & 3/4" MIXED WASHED STONE	\$19.015 / TON	NO BID
3/4" STONE	\$18.75 / TON	NO BID
1 1/2" STONE	\$18.75 / TON	NO BID
SCREENINGS (STONE DUST)	\$16.25 / TON	NO BID
SCREENFILL	\$16.25 / TON	NO BID
ITEM #4 (CRUSHER RUN)	\$17.15 / TON	\$23.00 / TON
GABION STONE	\$18.75 / TON	NO BID
SURGE STONE	\$18.50 / TON	NO BID
LIGHT STONE FILL	NO BID	\$27.00 / TON

	(14.92 MILES) <u>B. METCALF</u>	(27 MILES) <u>COLARUSSO</u>	(28 MILES) <u>PECKHAM</u>	(40 MILES) <u>PACKAGE</u>	(68.1 MILES) <u>GORMAN</u>
<u>COLD MIX ASPHALT</u> (F.O.B.)					
COLD MIX	NO BID	\$90.00 / TON	\$93.00 / TON**	NO BID	NO BID
HIGH PERF. COLD MIX	\$115.00 / TON	NO BID	NO BID	NO BID	\$102.575/TON**

<u>COLD MIX ASPHALT</u> (DELIVERED)					
COLD MIX	NO BID	NO BID	\$101.00 / TON**	NO BID	NO BID
HIGH PERF. COLD MIX	\$120.00/TON	NO BID	NO BID	NO BID	NO BID

** Subject to price adjustments

<u>ASPHALT MATERIAL PRICES</u> (F.O.B.)	(10 MILES) <u>COLARUSSO-AMENIA</u>	(27 MILES) <u>COLARUSSO-HUDSON</u>	(28 MILES) <u>PECKHAM</u>
TYPE 1 HOT MIX ASPHALT	NO BID	\$52.00 / TON**	\$65.00 / TON**
TYPE 3 HOT MIX ASPHALT	\$59.75 / TON**	\$54.75 / TON**	\$65.00 / TON**
TYPE 5 HOT MIX ASPHALT	NO BID	\$74.50 / TON**	NO BID
TYPE 6 HOT MIX ASPHALT	\$65.00 / TON**	\$60.00 / TON**	\$68.00 / TON**
TYPE 7 HOT MIX ASPHALT	\$68.50 / TON**	\$63.50 / TON**	\$71.00 / TON**
12.5 MM HOT MIX ASPHALT	\$63.00 / TON**	\$58.00 / TON**	NO BID
9.5 MM HOT MIX ASPHALT	\$68.50 / TON**	\$63.50 / TON**	NO BID

** Subject to price adjustments

<u>ROAD MATERIALS & EQUIPMENT RENTAL RATES</u>	<u>PECKHAM MATERIALS</u>	<u>GORMAN BROS., INC.</u>
CRS-2	\$2.05 / GALLON **	\$2.14 / GALLON **
CRS-2P	\$2.10 / GALLON **	\$2.20 / GALLON **
CSS-1H FOG SEAL	\$2.19 / GALLON **	\$2.10 / GALLON **
SELF-PROPELLED CHIP SPREADER	\$231.25 / HOUR	\$237.50 / HOUR
RUBBER TIRE ROLLER W/OPERATOR	\$175.00 / HOUR	\$181.25 / HOUR
EQUIPMENT MOBILIZATION	\$450.00 / PER MOVE	\$475.00 / PER MOVE
DISTRIBUTOR WITH OPERATOR	\$165.00 / HOUR	\$160.00 / HOUR
LIQUID CALCIUM CHLORIDE	\$1.05 / GALLON	\$1.05 / GALLON

** Subject to escalation / de-escalation

<u>#2 FUEL OIL DELIVERED</u>	9/15/2020 RACK <u>PER GALLON</u>	CONSTANT ADD-ON <u>PER GALLON</u>	9/15/2020 PRICE <u>PER GALLON</u>
BOTTINI FUEL	[\$1.0975]	[\$0.15]	[\$1.2475]
CROWN ENERGY CORP.	NO BID	NO BID	NO BID
HERRINGTON FUELS	NO BID	NO BID	NO BID
TAYLOR OIL, INC.	[\$1.1099]	[\$0.11]	[\$1.2199]

	9/15/2020	CONSTANT	9/15/2020
89 OCTANE GASOLINE DELIVERED	RACK PER GALLON	ADD-ON PER GALLON	PRICE PER GALLON
BOTTINI FUEL	[\$1.3270]	[\$0.18]	[\$1.5070]
CROWN ENERGY CORP.	NO BID	NO BID	NO BID
HERRINGTON FUELS	NO BID	NO BID	NO BID
TAYLOR OIL, INC.	[\$1.3220]	[\$0.15]	[\$1.4720]

	9/15/2020	CONSTANT	9/15/2020
ON ROAD DIESEL FUEL DELIVERED	RACK PER GALLON	ADD-ON PER GALLON	PRICE PER GALLON
BOTTINI FUEL	[\$1.2065]	[\$0.18]	[\$1.3865]
CROWN ENERGY CORP.	NO BID	NO BID	NO BID
HERRINGTON FUELS	NO BID	NO BID	NO BID
TAYLOR OIL, INC.	[\$1.1365]	[\$0.15]	[\$1.2865]

RESOLUTION #1962020
Acceptance of 2021 Highway Material Bids

RESOLVED, to accept the bids as presented by Superintendent Stevens.

Motion by Councilman Kaye and seconded by Councilwoman Morrison.

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

NAYS – 0

The Resolution was adopted on December 10, 2020.

Assessor – Assessor Johnson was present via Zoom for questions.

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. Reports for expiring terms of office and required training hours were also submitted to the Town Board.

Town Board Committee Reports:

Recreation – Councilman Midwood stated recreation would be mentioned later in the meeting.

Police Services – Councilman Fedeles stated there was no report.

Zoning Review Committee – Supervisor Kennan read a report from Chairwoman Greenwood. The ZRC met with Will Agresta on November 23, 2020. Extensive materials, in a chart form with comments putting the uses and standards of our current code, were presented by Mr. Agresta. Definitions from our existing code were also received. On December 11, 2020, the Committee has a walking tour of the Boulevard District. Beginning in January, the ZRC will start hold meetings on the second Monday of each month.

Set the Holiday Schedule for Town Employees:

Councilman Kaye stated, in the past, full days before Christmas and New Year's were given as time off. Councilman Midwood stated he was in favor of the two days in addition to the actual holidays.

RESOLUTION #1972020
Set the Holiday Schedule for Town Employees

RESOLVED, to set the holiday schedule for town employees to include Christmas Eve Day on December 24, 2020 and New Year's Eve Day on December 31, 2020 as days off.

Motion by Councilman Kaye and seconded by Councilwoman Morrison.

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

The Resolution was adopted on December 10, 2020.

Set the 2021 Reorg Meeting Date and Time: Monday, January 4, 2021 at 5:00 p.m.:

RESOLUTION #1982020
Set the 2021 Reorg Meeting Date and Time

RESOLVED, to accept reorganizational meeting date and time as Monday, January 4, 2021 at 5:00 p.m. with a snow date of January 5, 2021 at 5:00 p.m.

Motion by Councilwoman Morrison and seconded by Councilman Fedele.

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

The Resolution was adopted on December 10, 2020.

Request from Village of Millerton Re: Eddie Collins Field:

Supervisor Kennan read a report from Edith Greenwood. Chazen, the project engineers, are well on the way to finalizing the bid documents in January. Phase 1 is budgeted at \$1,250,000 of which \$980,000 has been raised to date and \$220,000 has come from foundations and individuals. There are pledges for an additional \$85,000 in 2021. The project committee is actively seeking the balance of \$185,000 to complete Phase 1. Assuming the State is ready to enter into contract on the project in mid-winter, the committee expects to break ground on Phase 1 in the spring. By fall of 2021, they will have a refurbished handicap accessible playground; two new, full basketball courts; a regulation soccer field; and improved parking. There is also hope for a NYSDOT-approved access to the newly opened portion of the Harlem Valley Rail Trail. Phase 2 will be for a new swimming pool and bathhouse, additional parking, and walking trails.

Clerk Wheeler read the following:

RESOLUTION #1992020
TOWN BOARD OF THE TOWN OF NORTH EAST

**RESOLUTION AUTHORIZING THE PAYMENT OF \$25,000 FROM THE
RECREATION FUND TO THE VILLAGE OF MILLERTON FOR ASSISTANCE IN
DEFRAYING THE CONSTRUCTION COSTS FOR THE EDDIE COLLINS PARK**

WHEREAS, the Eddie Collins Park is a municipal park located in the Village of Millerton, which provides extensive recreational services to the residents of the Village of Millerton and the Town of North East; and

WHEREAS, the Town and the Village have annually entered into a contract with each other to provide recreation activities for the Village and Town residents which are administered by the Village, the last contract being dated September 11, 2020; and

WHEREAS, the Village will undertake construction improvements to the Eddie Collins Park commencing in the Spring of 2021; and

WHEREAS, the Village has requested the Town to contribute \$25,000 for the use by the Village in defraying some of the costs of the Eddie Collins Park construction improvements; and

WHEREAS, the Town Recreation Committee has reviewed, and given its approval to, this request.

NOW, THEREFORE, be it

RESOLVED, that the Town Supervisor is authorized to use the sum of \$25,000 from the Town's Recreation Fund and pay the same to the Village with the condition that the funds are utilized by the Village to defray the construction costs for the improvements at Eddie Collins Park.

This motion was offered by Town Board member Lana Morrison and was seconded by Town Board member George Kaye.

MOTION: Councilwoman Morrison

SECOND: Councilman Kaye

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 December 10, 2020.

Resolution Accepting CPL Proposal to Provide Engineering Services for Phase III of New Highway Garage Project:

Clerk Wheeler read the following:

**RESOLUTION #2002020
TOWN BOARD OF THE TOWN OF NORTH EAST**

**RESOLUTION APPROVING REVISED AGREEMENT BETWEEN CPL
ARCHITECTURE, ENGINEERING, PLANNING AND SURVEYOR AND THE TOWN
OF NORTH EAST FOR ENGINEERING, ARCHITECTURAL DESIGN AND
CONSTRUCTION ADMINISTRATION WORK FOR THE TOWN OF NORTH EAST
DESIGN OF SHARED HIGHWAY GARAGE PROJECT**

WHEREAS, the Town of North East is desirous of moving forward with its plans for the shared highway garage project with the Village of Millerton; and

WHEREAS, CPL Architecture, Engineering, Planning and Surveyor ("CPL") had submitted a proposal to the Town Board for the Design of a Shared Highway Garage dated September, 2020; and

WHEREAS, the proposal had been reviewed by the Town Board; and

WHEREAS, the Town Board had determined that the awarding of this contract falls into the category of professional services, which are exempt from the bidding requirements of §103 of the General Municipal Law; and

WHEREAS, the Town Board had determined that the proposal submitted by CPL is acceptable; and

WHEREAS, CPL has submitted a proposed agreement between the Town and CPL for professional services with regard to the engineering, architectural design and construction administration work for the Town of North East design of the shared highway garage; and

WHEREAS, the proposed agreement had been reviewed by the Attorney to the Town Board and has been determined to be acceptable; and

WHEREAS, the Town Board has determined that because of CPL's past engineering work on Phases 1 and 2 of the highway garage project, that CPL has an extensive working knowledge of the project, the project site and the permitting agencies that will aid in the design and eventual successful construction of the highway garage building; and

WHEREAS, the Town Board by Resolution dated November 12, 2020 authorized the Town Supervisor to execute the Agreement between CPL and the Town of North East for engineering, architectural design and construction administration work for the Town of North East design of the shared highway garage in the same, or substantially similar, form submitted to the Town Board; and

WHEREAS, CPL, after discussions between certain members of the Town Board and CPL, has submitted a revised agreement between Owner and Engineer on the basis of a fixed fee of \$225,000 dated December 1, 2020; and

WHEREAS, the revised agreement has been reviewed by the Attorney to the Town and the Town Board, and found to be acceptable in form and content.

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Town Supervisor to execute the revised agreement between CPL and the Town of North East for engineering, architectural design and construction administration work for the Town of North East design of the shared highway garage in the same, or substantially similar, form submitted to the Town Board provided the terms of any amendments to the contract are acceptable to both the Supervisor and to the Attorney to the Town, without the necessity for further approval of the Town Board.

This motion was offered by Town Board member George Kaye and was seconded by Town Board member John Midwood.

MOTION: Councilman Kaye

SECOND: 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 carried by a 5-0 vote of the Town Board members on December 10, 2020.

Approval of the Building Department Fee Schedule for 2021:

RESOLUTION #2012020 Approval of the Building Department Fee Schedule for 2021

RESOLVED, to approve the 2021 Building Department Fee Schedule.

Motion by Councilman Fedele and seconded by Councilwoman Morrison.

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

The Resolution was adopted on December 10, 2020.

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

**RESOLUTION #2022020
Approval of Budget Adjustment #8 of 2020**

RESOLVED, to approve Budget Adjustment #8 of 2020 as follows:

In A Fund – General Town-wide, there is an expense increase of \$1,491 minus an expense decrease of \$1,491 resulting in a net of \$0.

In B Fund – General Town Outside, there is an expense increase of \$273 minus an expense decrease of \$273 resulting in a net of \$0.

In DB Fund – Highway Town Outside, there is an expense increase of \$2,670 minus and expense decrease of \$2,670 resulting in a net of \$0.

Motion by Councilwoman Morrison and seconded by Councilman Midwood.

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

The Resolution was adopted on December 10, 2020.

Monthly Bills Abstract/Special Abstracts –

**RESOLUTION #2032020
Approval of Special Abstract Dated November 24, 2020**

RESOLVED, to approve Special Abstract, dated November 24, 2020, totaling \$11,352.80, broken down as follows:

A Fund -	\$2,309.43
DB Fund -	\$9,043.37

Motion by Councilman Kaye and seconded by Councilwoman Morrison.

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

The Resolution was adopted on December 10, 2020.

**RESOLUTION #2042020
Approval of Abstract Dated December 10, 2020**

RESOLVED, to approve Abstract, dated December 10, 2020, totaling \$313,074.66, broken down as follows:

A Fund -	\$75,562.65
B Fund -	\$8,215.99
DB Fund -	\$171,267.99
Capital Projects H1	\$57,829.37

Town of North East
Town Board
Minutes
December 10, 2020

Escrow T&A2	\$35.00
Payroll T&A	\$163.66

Motion by Councilman Fedele and seconded by Councilman Midwood.

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

The Resolution was adopted on December 10, 2020.

Voucher Committee for January 2021 –

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

Approval of Minutes of Town Board Meeting of November 12, 2020:

**RESOLUTION #2052020
Approval of November 12, 2020 Minutes**

RESOLVED, to approve the minutes of November 12, 2020.

Motion by Councilman Midwood and seconded by Councilwoman Morrison.

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

The Resolution was adopted on December 10, 2020.

General Comment Period:

No comments.

Councilman Fedele mentioned the Irondale Schoolhouse will be celebrating its 7th anniversary on December 19, 2020. The public is invited to attend.

Adjournment:

**RESOLUTION #2062020
Adjournment of December 10, 2020 Meeting**

RESOLVED, to adjourn the meeting at 7:44 p.m.

Motion by Councilwoman Morrison and seconded by Councilman Kaye.

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

The Resolution was adopted on December 10, 2020.

Respectfully submitted,

/s/

Gail J. Wheeler
Town Clerk

Approved: 01/14/2021