

Town of North East
Town Board
Regular Meeting
May 12, 2022
7:00 P.M.

Call to Order, Pledge of Allegiance

Roll call

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

Acceptance of Agenda with Amendments

Discussion of Tighe & Bond's Map Plan Report contract to be added as Agenda item #11, followed by a resolution to renew Recreation Contract with the Village of Millerton as Agenda item #12. A motion was made by Councilman Fedele and seconded by Councilwoman Morrison.

AYES- 5 (Kennan, Morrison, Fedele, Midwood, Cooper)

NAYS- 0

The Agenda was accepted as amended.

Supervisor Comments

Covid update. We continue to monitor the situation and move with caution, monitoring the statistics going forward. When gathered together in large crowds indoors, advocate that people wear masks, for those unvaccinated to get vaccinated, and everyone use common sense.

A report is expected from Cathy Chow at next month's meeting regarding the Green House Gas Emissions Plan. The largest source of methane emissions in the Town originates from the landfill and will decrease over time. A proposal from AC Power for solar development at the Town landfill was distributed among the board members. We would like to examine the possibility of solar and any economic benefits at a future meeting. The Climate Smart Task Force has turned in 155 points towards designating our Town bronze level status. At next month's meeting a report is expected as to if we have achieved that level. Thanks to the Climate Smart Task Force for their hard work. The Housatonic Valley Association will present a report on their new Ten Mile Watershed Plan next month.

Senior picnics are back! A Picnic will be held in Pine Plains on Wednesday, July 13th at Stissing Mountain High School.

This Saturday will be the Grand Opening of a school-based health clinic at Webutuck School. It culminates several years of hard work and is a health facility, beyond a nurse post, for Webutuck students.

Housing Toolbox update. The task force members, which includes Councilman Cooper, held their second meeting yesterday. We are meeting every month with aim to present the Town Board and elected officials a better sense of tools we have to do something about affordable housing. A public meeting is scheduled for Monday, August 29, 6:30pm.

Millerton Plaza Update. Have been meeting with Bob Trotta and different property owners along the Boulevard district in discussions about the future wastewater district. There is a resolution to be voted on later in the meeting regarding a new development with Tighe & Bond, the firm who are working on the Map, Plan and Report for the wastewater district. Kennan is willing to travel and talk to anybody to get a market in the Plaza. He will be visiting Ming's market in Connecticut tomorrow. For a future board meeting he would like to revisit the question of a cannabis dispensary in the Plaza. Last year we Opted-Out. The Village of Millerton Opted-in. Now it's time to take a look at and discuss tax revenue advantages.

The Gun Club complaints. The Gun Club pre-existed zoning in the Town, so it's existence in its current location is grandfathered. However, questions remain about hours of operation, size and type of guns being fired. Hope to discuss this with the management.

Department Reports

- **Highway:** Bob Stevens reports that all is well. Focus is gravel road maintenance the remainder of May. The shared use of the Bucket truck in April was a good experience. Will be replacing "North East Town" signs at road entries around town, on Routes 22 and 199. Expect ground breaking at new Highway Garage in July.

- **Assessor:** Katherine Johnson reports that her office published the 2022 tentative assessment roll May 1st, which is available online on our website, in the Town Clerk's Office and the Assessor's office. Notices went out to landowner's earlier to allow more time to respond. Grievance Day is the 25th of May from 3-5 and 6-8 pm. Appointments are being made. She shared a Status of Exemptions chart with the board. Star and Enhanced Star exemptions have declined slightly due to other county exemption offers, and Solar/Wind power exemptions have risen with NY State offers of reduced taxes for value improvement to the property. Councilman Cooper asked how the conversations

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with landowners were going, and Johnson replied that they were going well, and that “education is key”.

- **Planning, Zoning, & Building Department:** Reports were sent to the Board.

- **Town Clerk:** All reports were sent to the Board. Next month there will be a tax report. Hope to improve the Town website with more graphics and content. Departments have been asked to look at their pages with thoughts to update them.

Board Committee Activity

- **Recreation Committee:** Councilman Cooper and Councilwoman Morrison report that Eddie Collins Park playground and soccer fields will reopen in June. It is exciting to have such an amazing recreational facility in eastern Dutchess for kids, seniors, and everybody. It will be a great place for people to get together and enjoy the outdoors. The Board has an opportunity to vote on approving a two year contract with the Village of Millerton with a Resolution, later in this meeting.

- **Cemetery Committee:** Councilman Fedele reported that on May 7th the Friends of Spencer’s Corners Burying Grounds (FSCBG) spent the day cleaning and taking photos on site. The photos will document “Before” and also spread the word and aid in fundraising. The Dutchess County Historical Society, Daughters of the American Revolution (DAR) of Rhinebeck, under local writer Sarah Hermans, and the North East Historical Society are interested and researching the site. There are grants available through Berkshire Taconic for Northern Dutchess and through the DAR. FSCBG hosts a table at the weekly farmers market in Town. Sean Klay, historian at American Legion Post# 178, is always interested in the monuments and performs ceremonies in the Town cemeteries and at the Village’s Legion monument on Memorial Weekend.

- **Zoning Review Committee:** No report.

Approval of Workers Comp Insurance Renewal (3 years) through Emery & Webb, Inc.

RESOLUTION #252022

Approval of Workers’ Compensation Insurance Renewal

The Town has received a proposal for Insurance from Emery & Webb that is a 4.36 % decrease in premium. The new premium, a three year renewal which would carry us until 2025, will cost \$23,652 per year. A motion to accept the contract was made by Councilwoman Morrison, seconded by Councilman Fedele.

AYES- 5 (Kennan, Morrison, Fedele, Midwood, Cooper)

NAYS- 0

RESOLVED, to approve the Workers Comp Insurance renewal policy.

RESOLUTION #262022

Acceptance of 2021 Audits for Town Clerk Office, and Tax Collector

RESOLVED, to accept the audit reports for the Offices of the Town Clerk and Tax Collector, Town of North East by Sickler, Torchia, Allen and Churchill, CPA for the year 2021 Motion made by Councilman Midwood and seconded by Councilman Cooper.

AYES- 5 (Kennan, Morrison, Fedele, Midwood, Cooper)

NAYS- 0

The Resolution was carried by a 5-0 vote of the Town Board members on May 12, 2022.

Acceptance of 2021 Audit Report for Justice Court, Town of North East

RESOLUTION #272022

Acceptance of 2021 Audit Report for Justice Court, Town of North East

RESOLVED, to accept the audit reports for the Offices of the Justice Court, Town of North East by Sickler, Torchia, Allen and Churchill, CPA for the year 2021. Motion made by Councilman Fedele and seconded by Councilman Midwood

AYES- 5 (Kennan, Morrison, Fedele, Midwood, Cooper)

NAYS- 0

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The Resolution was carried by a 5-0 vote of the Town Board members on May 12, 2022.

RESOLUTION #282022

RESOLUTION AUTHORIZING THE TOWN SUPERVISOR TO SIGN AN AGREEMENT FOR THE TOWN’S SALE OF TAX PARCEL NO. 133-889-7271-00-600612-0000 LOCATED AT RUDD POND ROAD IN THE TOWN OF NORTH EAST, NEW YORK

WHEREAS, the Town of North East is the owner of a parcel of land located at Rudd Pond Road, having tax parcel number: 133889-7271-00-600612-0000, consisting of approximately 0.641 acres; and

WHEREAS, the Town Board has determined that the Town has no present, or contemplated future, use for this parcel; and

WHEREAS, the Town Board has determined that it would be in the best interest of the Town to place this property on the market for sale; and

WHEREAS, the Town Board has determined that the sale price of the property should be no less than the fair market value of the same; and

WHEREAS, the Town Board has determined to authorize the Town Supervisor to solicit the services of one or more real estate brokers to provide an opinion of the value of the property and to provide a proposed listing agreement for the said property, which shall provide, in relevant part, a reasonable commission for the sale of the same.

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Town Supervisor to execute a sales agreement with one or more duly licensed real estate firms doing business in the Town of North East area in a form, and/or substance, as approved by the Attorney to the Town and the Town Supervisor.

MOTION: Councilman Fedele
SECOND: Councilman Cooper

SUPERVISOR KENNAN	Voted	AYE
COUNCILMAN COOPER	Voted	AYE
COUNCILMAN FEDELE	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 May 12, 2022.

Motion to approve grant application to Long Island Sound Futures Fund for study of old highway garage site

Anticipating the move to a new facility and the vacancy of the old Highway garage building. This grant would help get a sense of the condition of the site. Long Island Sound is interested in protecting the water flowing into it. Tighe and Bond offered to make the grant application for a fee. Supervisor Kennan read from the letter of proposal submitted:

“One project of interest for the Town is the old highway garage that fronts on Webatuck Creek and Kelsey Brook, located in the Zone 1 Aquifer Recharge area for the Tenmile River Watershed, the water source for North East, Millerton, Amenia, and Dover, has a myriad of challenges related to environmental condition and flooding. The Highway garage property was formerly the location of the Town’s salt shed, and the historic garage operations are likely to have contributed to contamination beneath the site. In our opinion, the highway garage restoration is a good candidate for funding for a Planning Grant under the LISFF Grant through

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the National Fish and Wildlife Foundation (NFWF)... If awarded, the Town would receive a grant for a feasibility study, concept design, and construction budget for the adaptive reuse of the former Town Highway Department facility, which will address the site’s historic impacts to the aquifer and Webutuck Creek as well as utilize green infrastructure to improve water quality which currently flows untreated into the Creek from both the site and the adjacent Center Street in the Village of Millerton.”

A motion to accept the proposal was made by Councilman Cooper, and seconded by Councilman Midwood.

AYES- 5 (Kennan, Morrison, Fedele, Midwood, Cooper)
NAYS- 0

The Supervisor is now authorized to accept the proposal from Tighe & Bond for a grant application.

Modification of Tighe & Bond Map Plan and Report Agreement

RESOLUTION # 292022

RESOLUTION AUTHORIZING THE TOWN SUPERVISOR TO EXECUTE A MODIFICATION AGREEMENT WITH TIGHE & BOND FOR WASTEWATER SYSTEM DISTRICT FORMATION ENGINEERING SUPPORT

WHEREAS, the Town Board previously entered into a Contract with Tighe & Bond for Wastewater District Formation Engineering Support in the amount of \$26,000; and

WHEREAS, as part of the services, SEQRA compliance involved the retaining of archaeological services; and

WHEREAS, the Phase I Archaeological Investigation called for 60 shovel tests. It now appears that additional shovel tests are needed; and

WHEREAS, Tighe & Bond has provided the Town an amendment to the Contract permitting an additional expenditure of \$4,760, which has been reviewed by the Town Supervisor, the Town Board and the Attorney to the Town, and which has been determined to be acceptable in form and substance; and

WHEREAS, the amendment to the Contract does not constitute a new Contract but, simply, an extension of necessary services pursuant to the original Contract, which does not require any additional formal bidding.

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Town Supervisor to execute an amendment to the Contract with Tighe & Bond for an amendment to its Wastewater System District Form Engineering Support services in the amount \$4,760 with the payment of such additional services to be provided by ARPA funds, which the Town has already received for this purpose.

MOTION: Councilman Fedele

SECOND: Councilman Cooper

SUPERVISOR KENNAN	Voted	AYE
COUNCILMAN COOPER	Voted	AYE
COUNCILMAN FEDELE	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 May 12, 2022.

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RESOLUTION #302022

**RESOLUTION AUTHORIZING THE TOWN SUPERVISOR TO EXECUTE A
RECREATION CONTRACT FOR 2022-2024 WITH THE VILLAGE OF
MILLERTON**

WHEREAS, the Village has been operating a park/recreation program for both the Village and the Town residents and desires to continue such operation for the period from June 1, 2022 through May 31, 2024; and

WHEREAS, the Attorney to the Village has prepared a proposed Recreation Contract for that time period, providing for the essential terms and conditions of the agreement, which has been reviewed by the Town’s Recreation Committee, the Town Board and the Attorney to the Town; and

WHEREAS, the Attorney to the Town and the Town Board have determined that the provisions of the proposed Contract are acceptable in form and substance and that the execution of the same would be in the best interests of the Town.

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Town Supervisor to execute the proposed park/recreation program agreement, as prepared and amended by the Attorney to the Village in the same, or substantially similar, form as provided herein.

MOTION: Councilwoman Morrison
SECOND: Councilman Fedele

SUPERVISOR KENNAN	Voted	AYE
COUNCILMAN COOPER	Voted	AYE
COUNCILMAN FEDELE	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 May 12, 2022.

Public Comment Period: No comments.

Supervisor’s Report

RESOLUTION #312022
Approval of Budget Adjustment #2 of 2022

RESOLVED, to approve Budget adjustment #2 of 2022 as follows:
A Fund- General Town-wide, there is an expense increase of \$25,378, less an expense decrease of \$15,378, and a revenue increase of \$10,000 for a resulting net of \$0.
Motion made by Councilwoman Morrison and seconded by Councilman Cooper.

AYES- 5 (Kennan, Morrison, Fedele, Midwood, Cooper)
NAYS- 0

The Adjustment was approved.

RESOLUTION #322022
Approval of Special Abstract dated April 25, 2022

RESOLVED, to approve Special Abstract dated April 25, 2022 totaling \$488.22 broken down as follows:
A Fund- General Town-wide \$488.22
Motion to approve the Special Abstract was made by Councilman Fedele and seconded by Councilman Midwood.

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AYES- 5 (Kennan, Morrison, Fedele, Midwood, Cooper)
NAYS- 0
The Special Abstract was approved.

RESOLUTION #332022
Approval of Abstract dated May 12, 2022

RESOLVED, to approve Abstract dated May 12, 2022 totaling \$131,489.21 broken down as follows:

A Fund-	\$61,541.59
B Fund	\$ 2,418.88
DB Fund	\$32,660.85
Water District. SW1	\$29,707.50
ARPA	\$ 2,660.00
T&A2 Escrow	\$ 2,251.80
Payroll T&A	\$ 248.59

Motion to approve the Special Abstract was made by Councilman Midwood and seconded by Councilwoman Morrison.

AYES- 5 (Kennan, Morrison, Fedele, Midwood, Cooper)
NAYS- 0
The Abstract was approved.

Voucher Committee for June 2022: J. Midwood & L. Morrison

Approval of Minutes from Meeting of 4/14/22

Motion made by Councilman Fedele and seconded by Councilman Midwood
AYES- 5 (Kennan, Morrison, Fedele, Midwood, Cooper)
NAYS- 0

Adjournment

Motion made by Councilman Midwood and seconded by Councilman Cooper
AYES- 5 (Kennan, Morrison, Fedele, Midwood, Cooper)
NAYS- 0

The meeting was adjourned at 7:58 PM

Respectfully submitted,

/s/ Elizabeth “Tilly” Strauss
Town Clerk

Approved: June 9, 2022