

**Town of North East**  
**Town Board Regular Meeting**  
**Town Hall**  
**November 10, 2022, 7 pm**

**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**

Supervisor Kennan proposed adding three items to the Agenda: a resolution to adopt the 2023 Budget, the vote on new members for the CAC and two new members for the Climate Smart Task Force, and an Executive session at the end of the meeting to discuss possible purchase or sale of Town property. He also wanted to table for later the authorization regarding sale of surplus real estate to Habitat for Humanity of Dutchess County.

Motion to accept the revised Agenda was made by Councilman Fedele, seconded by Councilwoman Morrison

AYES 5 (KENNAN, MORRISON, FEDELE, MIDWOOD, COOPER)  
NAYS 0

The revised Agenda was accepted.

**Supervisor Comments**

COVID-19 numbers remain at a medium level. It is still around. The good news is that it hasn't resulted in any increase in numbers of hospitalizations. The Flu season is expected to be stronger than normal. Look for an uptick in Covid-19 this month.

Election congratulations to Senator Michelle Hinchey and Assembly member Didi Barrett. Congrats to our Town Clerk, Tilly Strauss. The Environmental Bond issue passed with strong support. This means there will be additional sources of funding for things like water and wastewater projects. The Village is currently pursuing a grant to upgrade the water mains. There have been several breakdowns in the water mains in the last few days. It is nice to see that the lawn signs, post-election, are being removed.

Recently attended a meeting in Newburg with the Mid-Hudson Regional Economic Development Council, (MHREDC), in the effort to stay aware of potential grants. We applied a while back for a grant to evaluate potential conditions in the old Highway Garage and its effects on Long Island Sound. The grant application was denied.

The Supervisors and Mayors Association of Dutchess County had a discussion of short term rentals. This reflects a growing concern of the loss of neighborhoods to temporary inhabitants. It was interesting to see how other towns are dealing with this issue. Our Attorney is currently working with other Towns to draft policies regarding short term rentals.

The Rally for Saving Sharon Hospital Emergency and Maternal Health Unit was well attended, even with Connecticut Senator Richard Blumenthal. There are continuing talks to close, though the ground swell of opposition may be having an effect. The Board last year passed a resolution opposing the closing and other towns are now looking to us about following our lead.

**Department and Committee Reports**

**Highway-** The crew is busy cutting brush and working on the snow and ice control preparations. There was a recent delivery of catch basins and pipes at the new Highway Garage site. We should see some work on the drainage at the new garage site this week.

**RESOLUTION# 702022**

**To accept the fuel bid from the rebid for 2023 Highway Garage Materials**

Superintendent Stevens asked the Board to accept the fuel rebid for the Highway Garage 2023 gas, diesel fuel, and heating oil. The previous bids were thrown out because proper documentation was not provided. Only one bid, from Taylor Oil, was subsequently received.

**THEREFORE**, a motion was made by Councilman Cooper and seconded by Councilman Midwood to accept the 2023 Highway Garage fuel bid from Taylor Oil.

AYE- 5 (KENNAN, MORRISON, FEDELE, MIDWOOD, COOPER)  
NAY- 0

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**Assessor-** Katherine Johnson was on hand via Zoom to answer any questions regarding proposed Local Law for Senior Tax Exemptions on the agenda later in the meeting.

**Town Clerk:** Planning, Zoning, & Building, and animal control officer reports were given to Board members previous to the meeting.

Town Clerk, Tilly Strauss reported that a notice had been placed in the lobby, and soon on the website, regarding ADA compliance in the Town Hall. She noted that not all of the building, (i.e. the second floor or courtroom), was accessible to those in wide wheelchairs. Twice in the last 2 years the Town Hall has solicited RFPs for alterations to the down stairs to make it wheelchair accessible to the courtroom, with no results. Supervisor Kennan mentioned that as a government ADA request, the RFP calls for prevailing wages and the paperwork is substantial for a small job.

The scan clerk, Chris Virtuoso, shared a report with the Board showing his work updating the records of the Zoning Department. There are 25 boxes of zoning files in the records room. With help from ZBA Chair, Julie Schroeder and the Assessor, Katherine Johnson, Virtuoso has been able to scan and update the files, changing their organization from the original owner’s name to Town of North East parcel lot number. On the report it was noted in orange which files contained drawings too large for our capacity to scan. This is going to be an issue for us to solve in the future. Supervisor Kennan, on behalf of the Board, thanked Virtuoso for his diligent work.

**Town Board Committee Activity**

**The Recreation Committee-** The work at Eddie Collins field is moving along. It’s very sad that there were vandals over the weekend. Everyone is looking forward to a great year, next year, when the park will be in use.

**The Cemetery Committee-** Every monument in Spenser’s Corners Burial Ground has been sprayed at least one time with the D2 solution. The Monument Conservation Collaborative, an international restoration firm headed by Martin Johnson, has been invited to give an estimate of the cost to recover some of the damaged monuments.

**Public Comment on Agenda items only-** There were no comments.

**Public Hearing on Town of North East 2023 Budget (7:15pm)**

A Motion to open the Public Hearing was made by Councilwoman Morrison and seconded by Councilman Fedele.

SUPERVISOR KENNAN	AYE
COUNCILWOMAN MORRISON	AYE
COUNCILMAN FEDELE	AYE
COUNCILMAN MIDWOOD	AYE
COUNCILMAN COOPER	AYE

The Public Hearing opened at 7:22 pm

Bill Kish, resident of North East, puzzled about not finding the Police Services in the Budget.

A Motion to close the Public Hearing was made by Councilman Midwood and seconded by Councilman Cooper.

SUPERVISOR KENNAN	AYE
COUNCILWOMAN MORRISON	AYE
COUNCILMAN FEDELE	AYE
COUNCILMAN MIDWOOD	AYE
COUNCILMAN COOPER	AYE

The Public Hearing closed at 7:24 pm

**Motion to authorize the list of properties in the Town of North East Water District #1 with unpaid water bills and unpaid fire inspections to be sent to Dutchess County for Collection in the amounts listed by the Village of Millerton and the Town of North East.**

A motion to authorize and send the list of properties to Dutchess County was made by Councilman Midwood, and seconded by Councilwoman Morrison.

SUPERVISOR KENNAN	AYE
DEPUTY SUPERVISOR MORRISON	AYE
COUNCILMAN FEDELE	AYE
COUNCILMAN MIDWOOD	AYE

COUNCILMAN COOPER AYE

The motion was passed. The Town Clerk will send the list.

**Resolution to authorize the Town Supervisor to sign a contract with Habitat for Humanity of Dutchess County for the sale of surplus Town real estate.**

This agenda item was removed from the evening’s discussion.

**Motion to Adopt the Complete Final Climate Action Plan.**

**RESOLUTION #712022**

**ADOPT THE 2022 TOWN OF NORTH EAST GOVERNMENT OPERATIONS GREENHOUSE GAS INVENTORY AND GOVT. OPERATIONS CLIMATE ACTION PLAN**

The following Resolution was offered by Councilman Midwood, seconded by Councilman Fedele to wit:

**WHEREAS**, the Town of North East received a 2018 Climate Smart Communities Certification Program Grant that included the preparation of a Government Operations Greenhouse Gas Emissions Inventory Report and Government Operations Climate Action Plan; and

**WHEREAS**, these publications were developed during 2021-2022 with partial funding assistance from NYS DEC Climate Smart Communities Program of the NYS DEC’s office of Climate Change toward the completion of the following action items toward Climate Smart Communities certification:

- 1. Pledge Element 2.1- Develop a govt. operations Greenhouse Gas (GHG) Emission Inventory
- 2. Pledge Element 2.3- Establish a government operations emission target reduction plan; and
- 3. Pledge Element 2.5- Develop a government operations climate action plan; and

**WHEREAS**, The North East/Millerton Climate Smart Task Force, comprised of town officials and environmental volunteer community leaders, collaborated with the project’s environmental consultants in the development of these publications, reviewed drafts, and provided valuable feedback on iterations that resulted in final draft; and

**WHEREAS**, the environmental consultants presented a summary of the inventory results, target reduction plan and components of the draft government operations climate action plan to the Town of North East Town Board and to the public at the August 30, 2022 Joint Meeting of the Town Board and the Trustees of the Village of Millerton.

**NOW THEREFORE BE IT RESOLVED**, that the Town of North East Town Board hereby adopts the April 2022 Government Operations Greenhouse Emission Inventory report and Target Reduction Plan and the September 2022 Government Operations Climate Smart Action Plan.

The question of adoption of the foregoing Resolution was duly put to a vote which resulted as follows:

SUPERVISOR KENNAN	AYE
DEPUTY SUPERVISOR MORRISON	AYE
COUNCILMAN FEDELE	AYE
COUNCILMAN MIDWOOD	AYE
COUNCILMAN COOPER	AYE

The Resolution was thereupon adopted on November 10, 2022

Motion to Adopt Evaluation of Policies for Climate Resilience

The Town has achieved Bronze level status due to the diligent work of our Climate Smart Community Task Force, with Kathy Chow as head. They have done an evaluation of policies among comparable villages in crafting this resolution for the Town of North East.

RESOLUTION #722022

ADOPT THE 2022 TOWN OF NORTH EAST REVIEW OF PLANS, POLICIES  
AND PROCEDURES USING THE CLIMATE SMART RESILIENCY  
PLANNING CHECKLIST

The following Resolution was offered by Councilman Midwood, seconded by Councilwoman Morrison to wit:

**WHEREAS**, the Town of North East received a 2018 Climate Smart Communities Certification Program Grant that included the preparation of a Government Operations Greenhouse Gas Emissions Inventory Report and Government Operations Climate Action Plan; and

**WHEREAS**, the preparation of this publication was funded in part by the Climate Smart Community Grant Program, Title 15 of the Environmental Protection fund through the New York State Department of Environmental Conservation; and

**WHEREAS**, the North East/ Millerton Climate Smart Task Force, on behalf of the Town Board of the Town of North East and the Housatonic Valley Association collaborated in completing a review of municipal plans, policies and procedures with these goals in mind:

- To identify initiatives and recommend new municipal plans that may help improve North East’s resiliency and adaptation to climate change; and
- To update North East’s assessment of vulnerability and risk from natural hazards using the Climate Smart Resiliency Planning Checklist and information on significant climatic events; and
- To present opportunities for elected and appointed officials and residents to increase their knowledge and use of technology and resources to prevent, reduce or mitigate threats to vulnerable populations and neighborhoods in the Town of North East; and
- To help integrate and cross- reference information from existing plans, legislation, studies, and publications with other resources to safeguard and protect the health safety, and well-being of all Town of North East residents in preparing, responding and recovering from impact of natural hazards,

**NOW THEREFORE BE IT RESOLVED**, the Town Board of the Town of North East adopts this publication, The Evaluation of Policies for Climate Resilience in the Town of North East Summary Report.

The question of adoption of the foregoing Resolution was duly put to a vote which resulted as follows:

SUPERVISOR KENNAN	AYE
DEPUTY SUPERVISOR MORRISON	AYE
COUNCILMAN FEDELE	AYE
COUNCILMAN MIDWOOD	AYE
COUNCILMAN COOPER	AYE

The Resolution was thereupon adopted on November 10, 2022

Discussion of proposal for Solar Array to be located on Closed Town Landfill on Reagan Road.

Two different companies have expressed an interest in installing a solar array. We need to involve our engineers to see potential impact of any such action on the landfill. There are new, dramatically higher, financial incentives with meaningful financial positives for the community. The Supervisor would like to come back to the Board with more information. Kathy Chow and Supervisor Kennan visited two projects in Pawling last month. Those two projects demonstrate the potential of a solar array to offset neighboring utility bills or reduce resident tax burdens.

**Introduction of a Local Law of the Town of North East, amending Chapter 155 of the Code of the Town of North East, “Taxation” Article 1 Thereof, Entitled “Senior Citizens’ Tax Exemption”**

Town Assessor, Katherine Johnson, has brought to the Town Board’s attention that the State Legislature passed a law allowing Towns to revisit their local laws regarding senior citizen tax exemptions. Currently, the local law allows senior citizens with earnings of \$29,000 to be eligible for a 50% reduction. Analyzing the cost of living, Social Security trends, and comparing median incomes of other towns in the State, Johnson suggested an increase, especially since nothing has been done since 2010. “We don’t want seniors left behind, unable to stay in their house”, she said. Towns are currently making the decisions so there is no data available as to what other communities are doing.

The Board agreed on an increase of eligibility to \$35,000, and had reviewed a prepared chart of impact. This would be meaningful assistance to seniors on fixed incomes. The local law will include a sliding scale. Town Attorney, Warren Replansky, stated that the change must be reflected in a Local Law with a Public Hearing required at the next Town Board meeting.

**LOCAL LAW NO. 3 OF THE YEAR 2022**

**A LOCAL LAW OF THE TOWN OF NORTH EAST, DUTCHESS COUNTY, NEW YORK, AMENDING CHAPTER 155 OF THE CODE OF THE TOWN OF NORTH EAST, “TAXATION”, ARTICLE I THEREOF, ENTITLED: “SENIOR CITIZENS’ TAX EXEMPTION”**

**BE IT ENACTED** by the Town Board of the Town of North East as follows:

**SECTION 1.** Chapter 155, Section 155-2(A) is deleted and in their stead the following new §155-2 is enacted to read as follows:

**§155-2. Grant of Exemption; Conditions**

A. Real property owned by one or more persons, each of whom is 65 years of age or older, or real property owned by husband and wife, one of whom is 65 years of age or over, shall be exempt from taxation pursuant to the terms and conditions of §467 of the Real Property Tax Law in accordance with the following schedule:

ANNUAL INCOME	PERCENTAGE OF ASSESSED VALUATION EXEMPT FROM TAXATION
\$35,000 or less	50%
\$35,000 to \$35,999	45%
\$36,000 to \$36,999	40%
\$37,000 to \$37,999	35%
\$38,000 to \$38,899	30%
\$38,900 to \$39,799	25%
\$39,800 to \$40,699	20%
\$40,700 to \$41,599	15%
\$41,600 to \$42,499	10%
\$42,500 to \$43,399	5%
Greater than \$43,400	No exemption

B. Any person otherwise qualifying for a partial exemption from taxation under §467 of the Real Property Tax Law and this law shall not be denied an exemption under that section if he or she becomes 65 years of age after the appropriate taxable status date and before December 31 of the same year.”

**SECTION 2. SEVERABILITY.**

This Local Law is intended to supersede and amend Local Law No. 2 of 2010.

**SECTION 3. EFFECTIVE DATE.**

This local law shall take effect immediately upon filing with the State Secretary of State.

**RESOLUTION #732022**

**COMMENCING THE LOCAL LAW ADOPTION PROCESS FOR LOCAL LAW NO. 3 OF THE YEAR 2022**

**WHEREAS**, Real Property Tax Law §467 has recently been amended to allow municipalities by local law, ordinance or resolution to increase the income level to qualify for the senior citizens’ exemption; and

**WHEREAS**, the Town Assessor has, in consultation with the members of the Town Board, determined that it is in the best interests of the Town and its citizens to provide for an increase in the exemption within the parameters dictated by the New York State amendment to Real Property Tax Law §467; and

**WHEREAS**, the Town Assessor has made a recommendation, based upon the input from the Town Board members, for an increase in the grant of the exemption contained in the Town Code; and

**WHEREAS**, the Attorney to the Town has drafted a Local Law providing for the increase in the income levels allowed to qualify for the exemption; and

**WHEREAS**, the Local Law was presented to the Town Board on November 10, 2022 and the Town Board has determined that the Local Law is acceptable for purposes of commencing the local law adoption process; and

**WHEREAS**, the Town Board has determined that this is a Type II action under SEQRA which does not require environmental review.

**NOW, THEREFORE**, be it

**RESOLVED**, that the Town Board hereby schedules a public hearing on the adoption of Local Law No.3 of the Year 2022 entitled: “A Local Law Amending the Senior Citizens’ Tax Exemption Income Level” on December 8, 2022 at 7:15 p.m. at the Town of North East Town Hall; and be it further

**RESOLVED**, that the Town Clerk is hereby directed to publish and give notice of said public hearing, as may be required by law, and to post a copy of said Local Law on the Town’s website and to further make a copy of said Local Law available at the Town Clerk’s office during regular business hours.

MOTION: Councilman Fedele  
SECOND: Councilman Midwood

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 November 10, 2022.



Motion to adopt the 2023 Budget

RESOLUTION #742022

RESOLUTION TO ADOPT THE 2023 BUDGET

A motion to accept the 2023 Town of North East Budget was made by Councilman Cooper, and seconded by Councilman Fedele

SUPERVISOR KENNAN	AYE
COUNCILWOMAN MORRISON	AYE
COUNCILMAN FEDELE	AYE
COUNCILMAN MIDWOOD	AYE
COUNCILMAN COOPER	AYE

The 2023 Budget was adopted on November 10, 2022

Motion to accept new members onto the Conservation Advisory Council

Kennan expressed his appreciation for Diane Engleke. The Board is happy she has agreed to continue to serve on the Council and share her experience and historical knowledge. Kathy Chow has agreed to stay on as well. The CAC is a statutory committee, recognized by the State, and it is a great resource to the Planning Board, providing research, advice and feedback. A motion was called to accept Andrew Stayman, Camillo Rojas, Margaret Rubin and Tom Parrott as new members. The motion was made by Councilman Fedele and seconded by Councilwoman Morrison.

AYES 5 (KENNAN, MORRISON, FEDELE, MIDWOOD, COOPER)  
NAYS 0

The new members are accepted into the Conservation Advisory Committee.

The Climate Smart Community Task Force embraces additional members.

Supervisor Kennan wished to recognize that the CSC is staffed with volunteers from the Town, and two new residents will join the task force: Claire Goodman and Deborah Maier.

Public Comments

Rich Stalzer, resident of North East and Chair of the Conservation Advisory Council, thanked the Board for expanding the CAC membership and looks forward to providing occasional updates.

Bill Kish, resident of the Town of North East, asked if any attention had been given to methane alleviation at the landfill. Supervisor Kennan answered that he had been researching companies that measure methane and had the price from one. He was waiting for a price from the other.

Tom Parrott asked about the schedule or process for getting formal bids regarding methane alleviation and for hearing public input. Supervisor Kennan said incentives are being offered by the State, but there is a long period of investigation that needs to happen. It might take at least until 2024. Then Parrott and Kennan addressed the difference in financial incentives offered in 2016 and currently.

Supervisor’s Report

RESOLUTION #752022  
Budget Adjustment #8 of 2022

A Fund- General Town-wide, had an account expense increase of \$1,425, with a revenue decrease of \$1,425 for a net change of \$0.

B Fund- General Town Outside, had an account expense increase of \$1,157 less an expense decrease of \$1,157 for a net of \$0.

DB Fund- Highway Town Outside, had an account expense increase of \$124,960, less an expense decrease of \$104,486 and less a revenue increase of \$20,474 for a net of \$0.

A motion to accept the Budget Adjustment was made by Councilman Cooper and seconded by Councilwoman Morrison.

AYE- 5 (KENNAN, MORRISON, FEDELE, MIDWOOD, COOPER)  
NAY- 0

The adjustment was accepted.

**RESOLUTION #762022**  
**Abstract dated November 10, 2022**

An Abstract dated November 10, 2022, totaling \$594,178.50 broken down as follows:

A Fund	\$47,028.67
B Fund	\$51,038.52
DB Fund	\$120,524.37
Capital Projects H1	\$356,869.97
Water District SW1	\$16,602.88
ARPA	\$1,568.00
T&A2 Escrow	\$297.50
Payroll T&A	\$248.59

A motion to accept the abstract was made by Councilman Fedele and seconded by Councilman Midwood.

AYE- 5 (KENNAN, MORRISON, FEDELE, MIDWOOD, COOPER)  
NAY- 0

The abstract was accepted.

**RESOLUTION #772022**  
**Special Abstract dated October 25, 2022**

A Special Abstract dated October 25, 2022 totaling \$469.43 broken down as follows:

A Fund	\$469.43
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A motion to accept the Special Abstract was made by Councilman Midwood and seconded by Councilwoman Morrison.

AYE- 5 (KENNAN, MORRISON, FEDELE, MIDWOOD, COOPER)  
NAY- 0

The special abstract was accepted.

**Voucher Committee for December 2022: Midwood, Morrison**

**Approval of Minutes from Meeting of 10-13-2022**

Motion to accept the minutes was made by Councilman Fedele, and seconded by Councilwoman Morrison.

AYES 5 (KENNAN, MORRISON, FEDELE, MIDWOOD, COOPER)  
NAYS 0

**A motion to enter into Executive Session**

Motion made by Councilman Midwood and seconded by Councilman Fedele

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

A Motion made to close the executive session was made by Councilwoman Morrison and seconded by Councilman Fedele.

AYES 5 (KENNAN, MORRISON, FEDELE, MIDWOOD, COOPER)  
NAYS 0

**Adjournment**

A motion to adjourn was made by Councilman Midwood, and seconded by Councilman Fedele

AYES 5 (KENNAN, MORRISON, FEDELE, MIDWOOD, COOPER)  
NAYS 0



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The meeting was adjourned.

/s/: Elizabeth Strauss, Town Clerk

12/8/2022: APPROVED