

Town of North East
Town Board Regular Meeting
Town Hall
May 11, 2023, 7pm

Call to Order, Pledge of Allegiance

Roll call

SUPERVISOR KENNAN	HERE
COUNCILWOMAN MORRISON	HERE
COUNCILMAN FEDELE	HERE
COUNCILMAN MIDWOOD	HERE
COUNCILWOMAN WINKLER	HERE

Acceptance of Agenda

Two changes. Remove the Acceptance of the 2022 Audit report for Justice Court. Add an Executive session in order to discuss pending litigation. A motion was made by Councilwoman Morrison and seconded by Councilwoman Winkler.

A vote taken.

AYE- 5 (Kennan, Morrison, Fedele, Midwood, Winkler)

NAY- 0

Amended Agenda is accepted.

Supervisor Comments

The Town is participating in the preparation of a new, county-wide Inter-municipal Hazard Mitigation Plan to address probabilities, such as natural hazards, i.e. water. It was last completed in 2016, and was supposed to be reviewed and redone every five years. COVID got in the way, so this new effort will probably be completed in early 2024.

The closing on the purchase of the New Town Hall is still waiting for the approval of the Attorney General's office. We hope to have that done by the next Board meeting.

Progress is being made on the new Highway garage construction. The actual building is going up. It's very visible from Rte 22.

We promised the neighbors of the Landfill on Reagan Rd. regarding the Solar Array permitting, that we would diligently assess the condition of the landfill and assess the extent of the methane being emitted. Engineers from PVE Environmental Services will be on the site tomorrow to begin this process.

Establishing an additional new parking lot on the Rail Trail is moving at a slow and steady pace. A survey of the actual proposed lot has been arranged. Board members have been given an aerial diagram from Parcel Access. The Harlem Valley rail Trail will purchase the land from the current owner. The County will turn it into a parking lot. The Town will paint stripes and maintain it.

Earth Day was a big success. Congratulations to the Climate Smart Task Force, Chris Virtuoso, Kathy Chow, Andrew Stayman, the NECC and Webutuck, for their hard work.

Bulk Trash Day went well and the Town broke even in its costs. It's not about making a profit, but providing a service for the residents. We intend to do it one time a year, eachspring.

Saturday May 27 Innsfree Garden, thanks to grant from the Northeast Dutchess fund and the Berkshire Taconic Community Foundation, is offering free access for our community. It is a beautiful place and should be enjoyed by our residents.

Monday May 29th is Memorial Day. The American Legion is providing a parade and a service starting at the Firehouse at about 10 am.

Department Reports

- **Highway:** Bob Stevens, Highway Supervisor reported that his department is doing well. They are focused on gravel road maintenance and roadside mowing. They will be collaborating with shared equipment and neighboring towns.

- **Assessor:** Katherine Johnson, Assessor, reported that the Tentative Assessment Roll was posted on line and is available in the Town Clerk's office. The Town website Assessor's page has been updated with documents from New York State explaining how to look at your assessment. In addition Johnson has uploaded a document regarding local property sales of the last few years.

Grievance day is the 24th of May from 3-5pm and 6-8 pm. She has additional office hours available ahead of Grievance day. Forms and instructions for grievance are available online on the Town website and in her office.

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Johnson shared a report with the Board members regarding exemption history and trends from 2021, 2022, and 2023.

The litigation certiorari with Heatcote Farm LLC has been resolved.

Councilwoman Winkler asked for clarity of why the appreciation of assessment. Johnson answered that the 8% raise across the board was purely because of the market.

- **Planning, Zoning, & Building Department:** The reports sent previously to the Board.

- **Town Clerk:** The reports were sent previously to the Board along with a Tax collection summary. We have collected from 92% of the properties to date.

Board Committee Activity

- **Communications Committee:** Councilwoman Winkler reported that we are looking for ways to improve the website and have made an appointment with the web designer.

Supervisor Kennan remarked that it shouldn't be a mystery about what we do here at the Town Hall.

RESOLUTION #302023

Acceptance of Additional Insurance Proposals: Cyber liability, Builders Risk, Pollution Liability. The Town Board voted to accept an additional proposal to our basic Insurance package approved earlier this year. Board members had copies of the proposals. A motion was made by Councilman Fedele and seconded by Councilwoman Morrison to accept the proposal

Roll call:

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

All Board members voted to accept the proposal for additional insurance.

Resolution to accept petitions for the formation of a Town Wastewater District and setting Public Hearing for 6-8-23

Supervisor Kennan reported that we have received signed petitions from the majority of the landowners in the Boulevard District. We needed more than 50% of the value of all the parcels in the district and have reached 75%. All the signatures were notarized. We are grateful to Lorna Sherman for her participation as notary. Copies have been sent to Town Attorney Warren Replansky's office. Replansky reported that Erin Moore of Tighe and Bond would not be able to attend a public hearing scheduled for the 8th. The board decided to set the date for a Public hearing on the 13th of June at the Library Annex.

RESOLUTION #312023

At a meeting of the Town Board of the Town of North East, in the County of Dutchess, New York, held at Town of North East Town Hall, 19 North Maple Avenue, Millerton, New York on May 11, 2023

X

In the Matter of the

ORDER CALLING PUBLIC HEARING

Establishment of Sewer District No. 1 in the Town of North East, in the County of Dutchess, New York

X

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WHEREAS, a written Petition dated May 11, 2023 has been submitted in due form by the owners of taxable real property situate in the proposed Sewer District No. 1 for the Town of North East, owning in the aggregate more than one-half (1/2) of the assessed valuation of the taxable real property in said proposed Sewer District as shown on the latest Assessment Roll of the Town of North East, County of Dutchess, State of New York, to establish Sewer District No. 1, which shall comprise that portion of the said Town outside of any incorporated village or city and wholly within the Town, which is bounded and described on Exhibit “A” annexed hereto and made a part hereof; and

WHEREAS, the improvements proposed within the said Sewer District are to consist of a sewer collection system to serve said District, as described in §2.3 of a Map, Plan and Report prepared by Tighe & Bond Engineering and Landscape Architecture, PC, dated December 2022, a copy of which is on file in the office of the Town of North East Clerk, and is incorporated by reference herein; and

WHEREAS, the sewer collection system will be operated in conjunction with a water resource recovery system which will be constructed within the Village of Millerton as described in §2.4 of said Map, Plan and Report; and

WHEREAS, said systems will be operated together as described in the said Map, Plan and Report pursuant to an Intermunicipal Agreement between the Village of Millerton and the Town of North East; and

WHEREAS, the maximum amount proposed to be expended for the improvements for Water District No. 1 is \$2,955,000 as set forth in §3 of the said Map, Plan and Report; and

WHEREAS, a hook-up fee will be required to hook-up to the system within the District but will be waived for parcels that connect during the initial construction period established by the Village and the Town, and future hook-up costs and charges will be charged for connections to the system that occur after the initial construction period, as set forth in §3.4 of the Map, Plan and Report; and

WHEREAS, the properties within the proposed District consist of commercial properties only. The cost to a typical property within the District are as follows: Annual Capital Cost \$2,965.00; Annual Operating and Maintenance Cost \$788.00; Total Annual Cost \$3,753.00; and Total Monthly Cost \$316.50, all as set forth in §4.1 of the said Map, Plan and Report.

NOW, THEREFORE, BE IT

ORDERED that a special meeting of the Town Board of the Town of North East shall be held on June 13, 2023 at the Library Annex, located at 28 Century Boulevard, Millerton, New York, at 6:00 p.m., to consider said Petition and to hear all persons interested in the subject thereof, and for such other and further action on the part of the Town Board, with relation to the premises; and be it further

ORDERED, that the Town Clerk is hereby authorized to publish notice of said hearing in the Town’s official newspaper at least once no less than ten (10) and no more than twenty (20) days before the date set for the said public hearing; and be it further

ORDERED, that the Town Clerk shall cause a copy of this Order and the exhibits annexed thereto to be posted on the sign board of the Town of North East not less than ten (10) nor more than twenty (20) days before the designated date for the public hearing; and be it further

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ORDERED, that the Town Clerk is hereby directed to post notice of this public hearing with a copy of this Order and the exhibits annexed hereto on the Town's official website no less than ten (10) nor more than twenty (20) days before the designated date for the public hearing; and be it further

ORDERED, that a copy of this Resolution and the said Map, Plan and Report shall be made available for inspection at the office of the Town Clerk during regular business hours.

This motion was offered by Town Board member Meg Winkler and was seconded by Town Board member Lana Morrison.

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

The Resolution was carried by a 5-0 vote of the Town Board members on May 11, 2023.

Public Comment Period

North East resident Bill Kish spoke about the house sizes of new homes being built in the Town. They reflect excessive inequity. Since he has no access to the ZRC attorney, he would like the Town Board to discuss and figure out a possible solution.

Supervisor's Report

RESOLUTION #322023 Budget Adjustment #3 of 2023

A Fund- General Town Wide had an expense increase of \$387,00, less a revenue increase of \$387,00 for a net sum of \$0

Motion made by Councilman Fedele to accept the budget adjustment. Seconded by Councilman Midwood. Votes taken:

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

Budget adjustment accepted.

RESOLUTION #332023 Special Abstract dated 4/20/2023 totaling \$4,007,462.00

A Fund	\$ 164,704.00
Capital Projects H1	\$3,842,758.00

Motion made by Councilwoman Morrison to accept the special abstract. Seconded by Councilwoman Winkler. Votes taken:

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

Special Abstract accepted.

RESOLUTION #342023 Special Abstract dated 4/25/2023 totaling \$866.55

A Fund	\$866.55
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Motion made by Councilwoman Morrison to accept the special abstract. Seconded by Councilman Fedele. Votes taken:

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

Special Abstract accepted.

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RESOLUTION #352023
Abstract dated 5/11/2023 totaling \$95,513.25

A Fund	\$45,258.00
B Fund	\$ 33.50
DB Fund	\$18,924.79
Water District SW1	\$29,235.00
ARPA	\$ 1,568.00
T&A2 Escrow	\$ 237.50
Payroll T&A	\$ 256.23

Motion made by Councilman Fedele to accept the abstract. Seconded by Councilwoman Winkler.
Votes taken:

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

NAYS- 0

Abstract accepted.

Voucher Committee for June 2023: J. Midwood & L. Morrison

Approval of Minutes from Meetings of 4/13/23 and 4/24/23

Motion made to approve the two sets of minutes was made by Councilman Midwood and seconded by Councilwoman Morrison. Votes taken:

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

NAYS- 0

The Minutes of April 13th and April 24th were approved.

Executive Session to discuss pending litigation

Motion made by Councilman Fedele and seconded by Councilwoman Winkler to enter into Executive session at 7:45pm. Votes taken:

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

NAYS- 0

Motion made by Councilwoman Morrison and seconded by Councilman Fedele to exit Executive session at 8:11PM Votes taken:

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

NAYS- 0

Adjournment

Motion made by Councilman Midwood and seconded by Councilwoman Winkler to adjourn at 8:12PM. Votes taken:

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

NAYS- 0

The meeting was adjourned

Draft: 5/17/2023

Approved: 6/8/2023

/s/ Tilly Strauss, Town Clerk