

**Town of North East**  
**Town Board**  
**Regular Meeting**  
**August 10, 2023, 7:00 PM**

**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**

Motion made by Councilwoman Morrison and seconded by Councilman Fedele

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

Nays- 0

Agenda accepted

**Supervisor Comments**

We have a vacancy on the ZBA. It has been posted on the bulletin board, the website, and in Supervisor emails. So far we have received two expressions of interest and will begin interviews next week.

We have also received a letter of resignation from the Board of Ethics. On behalf of the Town of North East, we would like to express our gratitude to Michelle Haab for her many years of service on that Board. We will be publicizing the vacancy next week, and hope to hear from people interested in serving on that Board. Michelle was the Chair and we are happy and grateful to announce that John Merwin has agreed to serve as the Board of Ethics' next Chair.

Salisbury Bank has been bought by NBT. Effective this Monday all our Town accounts at Salisbury bank will transition to accounts at NBT. We will miss having a local bank service our needs.

We have contracted with PVE engineering to measure the methane being emitted by vents on the Landfill. The initial assessment has been done and now more rigorous lab testing of the gasses emitted is being done. We should have more information on this by next month's meeting. Continuing the conversation about a Solar Array on the landfill, the Supervisor is working with Steve Fahamie to interview various solar operators. Hope to have a recommendation for the Town Board by September meeting. The next move would be to see if it is feasible.

The Town Clerk has been collaborating with Dover, Amenia, and Beekman to use a shared service, the Laserfiche program, to scan records of the Town Hall departments. We have made great progress, scanning 17,000 documents in just the last year alone. Thanks to Marcella Wheatley, Judy Carlson, and Chris Virtuoso for all their efforts to get our records archived digitally.

We closed on the purchase of a new Town Hall on July 17<sup>th</sup>, and are working on our plans to renovate it in an expeditious and cost effective way.

An Inter-Municipal Agreement between the Town and the Village of Millerton has been signed. All documents for the Wastewater District formation have been sent to the NY State Comptroller for his review and approval. Congressman Pat Ryan has been showing real interest in our project. He calls us a leader among small Towns.

We have asked for an enhanced stop sign with flashing lights for the Beilke Road and Rudd Pond Rd intersection. There are continuing near traffic misses and complaints. This is a very real danger and a priority to address. We will be reaching out to Bob Balkind at Dutchess County to discuss this.

Dutchess County will be meeting in Millerton to host an informational meeting at the NE Millerton Library Annex about the new sidewalks they will be putting on N. Maple Avenue from Main Street up to Highland. The meeting will be held on Thursday, August 17th from 5:30-7pm.

The Village Park is moving into Phase II, which is the Swimming Pool. The plans are to be shared with the community, "Let's Talk about the Swimming Pool," August 17<sup>th</sup> at 6:30PM at the Pavilion in the Park.

We have received a letter from the ZRC requesting a moratorium on new commercial Building permits for a six month period. The ZRC feels close to finishing the work of rezoning the "Boulevard" section of Route 44. This letter went to the Town Board as well as the Town Attorney. We should have more information and discussion at the September meeting.

There has been a request for a Fireworks Display permit. The last request was in 2019. Part of the process requires Town Board approval. The Supervisor asks that the Town Board approve the permit on the condition that we receive an insurance certificate and that the Fire Department is notified. Request for a motion and a vote.

A motion was offered for the conditional approval from Councilman Fedele and seconded by Councilwoman Morrison. Vote taken.

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Ayes- 5 (Kennan, Morrison, Fedele, Midwood, Winkler)  
Nays- 0

The Fireworks Display permit is approved on condition of receipt of insurance and notification to Fire Department.

**Department and Committee Reports**

**Highway-** Bob Stevens reported to the Board that it was time to advertise for Materials Bids: (sand, gravel, black top, asphalt, stone, and propane for the New Town Hall and garage). Request for a motion and a vote.

Councilman Fedele made a motion to authorize the Highway Supervisor to advertise for bids. Councilwoman Morrison seconded the motion. Vote taken.

Ayes- 5 (Kennan, Morrison, Fedele, Midwood, Winkler)  
Nays- 0

Bob Stevens may advertise for the Material bids.

On another note, the new Highway garage construction is progressing. The cement floor is being poured this week. The interior work is impressive and we are looking at completion this year.

**Assessor-** Katherine Johnson reported that there would be a vacancy on the Board of Assessment Review (BAR), with Beverly Tully moving away. The unfinished term ends in 2026. A replacement should be able to start in October, when training opportunities arise.

The Assessor then explained a little about the New Volunteer Fire Fighters Exemptions and many of the variety of local options for the Town Board to consider. She coached caution in decision making. This week she will meet with the Fire Company and the Village, after which she will return to the Board with more information. We have until March 1<sup>st</sup> to adopt it as a Local Law.

Johnson then requested an Executive session at end of the meeting to discuss a couple of Tax Certiorari with the Board.

**Town Clerk: Planning, Zoning, & Building Department-** All reports sent previously to the Board

**Town Clerk, Dog Control-** reports sent previously to the Board

**Councilwomen Winkler question.** Councilwoman Winkler asked about a Timeline and procedure for Zoning Review. Supervisor Kennan expects a report from the ZRC in October that will address a revision of Town zoning codes for the Boulevard area. It's taken two plus years to work through zoning changes. The Town Board will then have to review the changes. The Town Board may need to retain special counsel for help. We will want to move it along. The end of the year may be an overly ambitious goal. ZRC is now meeting every week to get to completion.

**Town Board Committee Activity**

**Cemetery-** Councilman Fedele reported that the present goal is to raise the Simon Dakin Obelisk in October. Fundraising has reached 2/3 of the goal. A funding letter is coming in the newspaper. They are hoping to get enough money to get MCC, (Monument Conservation Collaborative), to work on it. This will be the most prominent monument at the site.

**Public Comment on Agenda items only-** None

**Resolution to accept a local law permitting the Town of North East to exceed the NY State tax cap, and to set a public hearing for the September Town Board meeting.**

New York State holds Towns to a maximum 2% increase in taxes, and it is prudent to pass a local law to exceed if needed.

**RESOLUTION #482023**

**ACCEPTING A PROPOSED LOCAL LAW TO OVERRIDE THE TAX LEVY  
LIMIT FOR FISCAL YEAR 2024 PURSUANT TO GENERAL MUNICIPAL  
LAW §3-c FOR COMMENCEMENT OF THE LOCAL LAW ADOPTION  
PROCESS**

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**WHEREAS**, the Town Board has 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 2024; and

**BE IT FURTHER RESOLVED**, the Town Attorney has prepared a proposed local law to override the tax levy limit for fiscal year 2024 pursuant to General Municipal Law §3-c, and the same has been reviewed and approved by the Town Board members.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board hereby accepts the proposed local law for the year 2023 entitled “Local Law to Override the Tax Levy Limit for Fiscal Year 2024 pursuant to General Municipal Law §3-c” for commencement of the local law adoption process; and

**BE IT FURTHER RESOLVED**, that the Town Board hereby schedules a public hearing on said local law to be held on September 14, 2023 at the Town of North East Town Hall, at 7:20 p.m. and that the public hearing be duly noticed by the Town Clerk as required by law.

**MOTION: Councilwoman Winkler**

**SECOND: Councilwoman Morrison**

SUPERVISOR KENNAN  
COUNCILWOMAN MORRISON  
COUNCILMAN FEDELE  
COUNCILMAN MIDWOOD  
COUNCILWOMAN WINKLER

Voted AYE  
Voted AYE  
Voted AYE  
Voted AYE  
Voted AYE

This resolution was declared duly adopted on August 10, 2023 by a 5-0 vote.

**RESOLUTION #492023**  
**Motion to approve renewal of BAN for Highway Garage**

The Bond Anticipatory Note, (BAN), for the construction of the Highway Garage is expiring next week. Each year we make a principal payment and when our BAN expires, we solicit bids from three different banks. We have received three bids- 4.98%, 4.45% and 3.25%. The Bank of Millbrook offered the lowest percentage (3.25%). A Motion was made to renew the BAN with the Bank of Millbrook by Councilman Fedele and seconded by Councilwoman Morrison. Votes were taken by roll call.

SUPERVISOR KENNAN  
COUNCILWOMAN MORRISON  
COUNCILMAN FEDELE  
COUNCILMAN MIDWOOD  
COUNCILWOMAN WINKLER

Voted AYE  
Voted AYE  
Voted AYE  
Voted AYE  
Voted AYE

The motion passed 5-0 authorizing the Supervisor to renew the BAN with the Bank of Millbrook.

## Approval of revised Standard Workday and Reporting Resolution

This is requested by the NY State Retirement system. It was presented and approved by the Board earlier this year, but NYS has made changes on the form. It's the same information on a new form.

**RESOLUTION # 502023**  
**Approval of Revised Standard Workday and Reporting Resolution**

**RESOLVED**, to approve the revised Standard Work Day and Reporting Resolution.

Motion made by Councilwoman Winkler and seconded by Councilwoman Morrison.  
Vote taken.

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

Nays- 0

The Resolution was adopted on August 10, 2023

## Workforce Housing discussion

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**Supervisor Kennan:** Last year we worked with a consultant to create a Housing Toolkit which is a study of what things are available to a small rural Town to address a housing shortage. There were lots of suggestions and recommendations, and we are aware of lots of Towns and communities around us who have done things to incentivize and welcome appropriate affordable housing solutions.

The Supervisor and Councilwoman Winkler have had two meetings with Christine Sergent and Paul Bengtsen at the NECC. They have offered to help build on the Housing Toolbox.

**Councilwoman Winkler:** The spirit of the Comprehensive Plan points out the need for affordable housing and building an inventory of a variety of housing options. Now that we are revising our zoning it's the perfect time to add new verbiage and rules about this, such as adding mixed use on the Boulevard and changes in lot size minimum requirements for residential zones. It is a great opportunity for us. Our neighbors, the Towns of Amenia and Pine Plains, have had Workforce Housing requirements for subdivisions since 2015. This is a chance for us to catch up. Doing so will send a message to developers and businesses that we want this to happen in our community. We are very glad NECC is working with us as they know where the grants are and they have contact with the community we serve, through food and education programs etc. Sadly many children have to move midyear due to parents losing their apartments.

**Supervisor:** Working with NECC brings us additional staff resources. We are particularly grateful to them. Our goal is to bring back an actionable plan to the Board

**Councilman Midwood:** Do you have an estimate as to when a recommendation would be coming back to the Board?

**Supervisor:** Spoke earlier of the ZRC schedule. It's hard to say. Maybe early next year.

**Winkler:** The NECC did task us with filling in verbiage on initial draft with our affordable housing definitions and getting numbers such as salary income averages, (which are set by DC or NYS). The NECC is going to help us fill that out.

**Supervisor:** The income levels that we use have to be adjustable every year. Therefore not a dollar number, but a formula related to an index.

**Winkler:** Amenia and PinePlains have those figured out. It's pretty simplistic.

**Public Comments Period 7:50 pm**

Andrew Stayman, Town resident, asked should the ZRC's proposed moratorium on new applications take place, would it have an effect on the proposed Dollar General Store application that has been recently submitted? Kennan replied that it would affect all new applications.

**Supervisor's Report**

**- Budget Adjustment**

**RESOLUTION #512023**  
**Budget adjustment #6 of 2023**

A Fund- General Town-Wide expense increase of \$10,100 less an expense decrease of \$10,100 for a net change of \$0.

Motion made by Councilman Fedele to accept the budget adjustment and seconded by Councilman Midwood. Vote taken.

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

Nays- 0

Budget Adjustment accepted.

**- Special Abstracts**

**RESOLUTION #522023**  
**Special Abstract dated July 25, 2023**

A special abstract dated July 25 totaling \$577.90 broken down as follows:

A Fund- \$577.90

Motion to accept the Special Abstract was made by Councilwoman Morrison and seconded by Councilwoman Winkler. Vote Taken.

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

Nays- 0

Special Abstract accepted.

**-Monthly Bills Abstract**

**RESOLUTION #532023**  
**Abstract dated August 10, 2023**

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Abstract dated August 10 totaling \$261,553.22 broken down as follows:

A Fund-	\$ 54,558.58
B Fund	\$ 694.85
DB Fund	\$ 48,052.84
Capital Projects H1	\$157,990.72
Payroll T&A	\$ 256.23

Motion to accept the Abstract was made by Councilwoman Morrison and seconded by Councilman Midwood. Vote taken.

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

Nays- 0

Abstract accepted.

**Voucher Committee for September: M. Winkler & R. Fedele**

**Approval of Minutes from Meeting of 7/13/2023 and Special Meeting of 7/24/2023**

Motion made by Councilwoman Winkler and seconded by Councilman Fedele to approve the minutes of July 13 and 24<sup>th</sup> meetings.

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

Nays- 0

The Minutes of July 13 and 24<sup>th</sup> were approved.

**Executive session**

Motion to close the meeting and enter into executive session to discuss Certiorari with the Town assessor was made by Councilman Fedele and seconded by Councilman Midwood. Vote taken.

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

Nays- 0

Entered into Executive session at 7:55pm.

**Exit executive session**

**Motion made by Councilwoman Morrison and seconded by Councilman Fedele**

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

Nays- 0

Exit executive session

**Adjournment**

Motion made by Councilman Midwood and seconded by Councilwoman Winkler to adjourn the meeting. Vote taken.

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

NAYS- 0

Meeting adjourned

/s/: Elizabeth Strauss  
Town Clerk

Draft: 9/1/2023

Approved: 9/14/2023