

**Town of North East
Town Board Regular Meeting
Town Hall, 19 N Maple Ave.
Millerton, New York
February 8, 2024, 7:00 PM**

Call to Order, Pledge of Allegiance

Roll Call

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

Acceptance of Agenda

Amended to reflect three additions. 1. Revision to the Town employment manual regarding vacation days. 2. Resolution to authorize a move forward on work at the new Town Hall. 3. Add an Executive Session with Council and Assessor to discuss pending litigation.

Motion made by Councilman Mayville and seconded by Councilwoman Morrison to accept the amended agenda. Votes taken.

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

Nays- 0

Agenda as amended was accepted.

Supervisors Comments

The new Highway Garage continues to move along with the “substantial completion” date just days away. All electrical and HVAC systems are operational. The asphalt pouring will be delayed until spring.

Councilwoman Morrison and Councilman Mayville joined the Supervisor at the Association of Towns training in Albany. It was useful and helpful. The Supervisor requested a Special Meeting to review Town policies on February 29th at 5pm. Councilman Mayville will not be in attendance so the Supervisor will circulate the aforementioned policies ahead of time.

The State of Connecticut has denied the Sharon Hospital request to terminate maternity services. The Town Board passed a resolution supporting the existence of the maternity Unit. This is great news for our young families.

The Dutchess County Supervisors and Mayors Association discussed deep concerns regarding EMS services available for Towns. Our Northern Dutchess Paramedics’ contract expires this year. Prices for EMS are doubling across the board. Already 10% of our budget goes to these services. There is a financial crisis ahead of us and the Association will approach County Legislature for solutions.

Legislator Chris Drago was unable to attend this meeting and sent an email to the Supervisor which was shared with the rest of the Town Board.

Public Comment on Agenda Items Only - none

Department Reports

Highway Department- Bob Stevens, Superintendent, shared that there have been equipment issues with the 2006 Plow Truck and the 2015 Dump Truck. Taking advantage of the mild winter weather, the crew is removing dead trees and doing drainage work. The Salt and Sand supply is still full.

Presentation of 284 Agreement for Highway Department- Bob Stevens asked the Town Board approve Section 1 of the 284 Agreement.

RESOLUTION #102024

The 284 Agreement authorizes the Superintendent of Highways to spend highway moneys on general road repairs and permanent road improvements.

RESOLVED, to approve the 284 Highway Money Agreement.

A Motion was offered by Councilman Fedele and seconded by Councilwoman Winkler. Roll Call

**Town of North East
Town Board Regular Meeting
Town Hall, 19 N Maple Ave.
Millerton, New York
February 8, 2024, 7:00 PM**

SUPERVISOR KENNAN	Aye
COUNCILWOMAN MORRISON	Aye
COUNCILMAN FEDELE	Aye
COUNCILWOMAN WINKLER	Aye
COUNCILMAN MAYVILLE	Aye

The Motion passed 5-0 and the Agreement was signed by all the Board members.

Assessor- Katherine Johnson shared a report with the Board members. The Senior Exemption and Agriculture Exemption application deadlines are March 1.

Tax Collector- Reports handed to the Board. So far we have collected 28% A request was made to deputize Christopher Virtuoso for coverage on processing tax payments in March.

RESOLUTION #112024

RESOLUTION CONFIRMING THE APPOINTMENT OF DEPUTY TOWN COLLECTOR OF TAXES FOR SELECT DAYS IN MARCH

WHEREAS, the Town Board, by Resolution dated June 10, 2004, abolished the separate elective office of Tax Collector, whereupon the duties of the Tax Collector were, by law, combined with the position of Town Clerk; and

WHEREAS, the Town Clerk and the Town Board have determined an appointment of a Deputy Collector of Taxes is necessary for a period of the Town Clerk's absence, pursuant to the provisions of §35(2) of the Town Law; and

WHEREAS, the Town Clerk has appointed Christopher Virtuoso, to serve as Deputy Collector of Taxes, pursuant to the provisions of §35(2) of the New York State Town Law, for coverage collecting and processing Property Tax payments between March 4 and March 11th 2024,

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby confirms the appointment of Christopher Virtuoso as the Deputy Collector of Taxes pursuant to the provisions of §35(2) of the Town Law; and be it further

RESOLVED, that the Town Clerk shall continue to have ultimate responsibility for the duties, fidelity and surety for the position of Town Tax Collector pursuant to §35(1) of the New York State Town Law but that the duties of the Town Tax Collector may be performed by the said Deputy Town Collector of Taxes during the days of the Town Clerk's absence; and be it further

RESOLVED, that the Deputy Town Clerk shall serve at the pleasure of the Town Clerk pursuant to the provisions of §35(2) of the Town Law for the period of the Town Clerk's absence from March 4 to March 11, 2024

This motion was offered by Councilman Fedele and was seconded by Councilwoman Morrison.

SUPERVISOR KENNAN	Voted Aye
COUNCILWOMAN MORRISON	Voted Aye
COUNCILMAN FEDELE	Voted Aye
COUNCILWOMAN WINKLER	Voted Aye
COUNCILMAN MAYVILLE	Voted Aye

The motion was approved by a vote of 5-0 on February 8, 2024.

**Town of North East
Town Board Regular Meeting
Town Hall, 19 N Maple Ave.
Millerton, New York
February 8, 2024, 7:00 PM**

Planning, Zoning, & Building Department - reports previously sent to the Town Board.

Committee Reports:

Housing Committee- Councilwoman Winkler reports that they have been working with the ZRC and Hudson River Housing to understand examples of household Average Median Income for our Town (AMI). She anticipates a meeting, with the ZRC, to discuss rents that might be affordable.

Personnel Committee- Revision to the Employee Manual regarding Vacation Days

A chart was given to the Town Board Members that showed a slight change to the qualifying range of time employed. The completion of two to eight years of continuous service was changed to read “two through nine”, and the completion of nine to nineteen years was changed to read “ten through nineteen years.”

RESOLUTION #122024

Revision to the employee manual regarding vacation days

A motion was made by Councilwoman Winkler and seconded by Councilman Fedele to accept the changes. Roll Call.

SUPERVISOR KENNAN	AYE
COUNCILWOMAN MORRISON	ABSTAIN
COUNCILMAN FEDELE	AYE
COUNCILWOMAN WINKLER	AYE
COUNCILMAN MAYVILLE	AYE

The changes were approved by a vote of 4-0 with one abstention.

The Buildings and Grounds Committee- New Town Hall Construction

The Supervisor commended Jeanne Vanecko for the great deal of work that she has done at no cost to the Town. She has designed the interior of the building which had substantial revisions in order to comply with the NYS Court system. Now we need a better understanding of the electrical and HVAC system, which are working well but have a life span. We need to find the most affordable way to reconfigure the systems to reflect the new layout of the building and provide us with the best way to move forward. LAN Engineering specializes in this. They have given us a proposal that seems thorough and fair. In addition we need a contract and an agreement with Ms. Vanecko that reflects her relationship to the Town.

Town Attorney Warren Replansky commented that Jeanne Vanecko’s plans are excellent, and she continues to work pro bono, only charging the Town \$60/hour for drafting. Legally, we need a contract with her. Replansky will review to make sure it reflects General Municipal Law. The proposal by LAN is acceptable with minor changes to reflect compliance with General Municipal Law §222, such as compliance with labor laws and insurance policy in place. These changes will not affect either the scope or cost of the proposal. He reminded the Board that the funds for this proposal will initially come from Town budget surplus, and then be reimbursed by a grant from NY State.

RESOLUTION #132024

**AUTHORIZING THE TOWN TO PROCEED WITH THE
REMODELING OF THE PROPERTY LOCATED AT 5603 ROUTE 22,
TOWN OF NORTH EAST, CURRENTLY OWNED BY THE TOWN FOR
USE AS A NEW TOWN HALL**

WHEREAS, the North East Town Board determined that the existing Town Hall is obsolete in many respects, including the lack of handicap access to the second floor, and that it was necessary for the Town to either construct a new Town Hall or acquire property with an existing structure which may be retrofitted for use as a Town Hall; and

WHEREAS, the Town Board, pursuant to a Resolution dated April 13, 2023, authorized the purchase of property located at 5603 Route 22 in the Town of North East

**Town of North East
Town Board Regular Meeting
Town Hall, 19 N Maple Ave.
Millerton, New York
February 8, 2024, 7:00 PM**

owned by the Rhinebeck Congregation of Jehovah's Witnesses consisting of approximately 3.01 acres and an existing congregational building identified as Tax Map No. 7170-00-633229 (Subject Property) for use as a new Town Hall; and

WHEREAS, the Town closed title on said Subject Property on July 17, 2023 and is now the owner of the same; and

WHEREAS, Jeanne Vanecko, a licensed architect and resident of the Town of North East has donated certain architectural and design services to the Town and prepared a set of preliminary plans with a detailed scope of work for the remodeling and reconstruction of the Subject Property for use as a Town Hall; and

WHEREAS, the scope of work includes anticipated general, demolition and construction work (reconstruction work) and a summary, by discipline, of the remodeling required for use as a Town Hall; and

WHEREAS, the Town, with the assistance of Jeanne Vanecko, has estimated that the total cost of such work will not exceed \$390,310; and

WHEREAS, the Town Board has determined that the cost of reconstruction work can be paid for by 2024 budgeted funds in the amount of \$25,000 and \$365,310 in surplus funds. In addition, the Town has been awarded a NYS Local Community Assistance Program Grant in the amount of \$200,000 which will be used to reimburse the Town after expenditure; and

WHEREAS, the current Town Hall, after completion of construction of the new Town Hall, will be sold by the Town and the net proceeds will be used to reimburse the Town's surplus funds; and

WHEREAS, the Town Board has determined that it requires detailed plans, specifications and estimates the construction work in accordance with the requirements of §222 of the Town Law; and

WHEREAS, a major component of such construction work will be HVAC and electrical upgrades to the building; and

WHEREAS, in order to create more detailed plans, specifications and estimates for the construction of the building, the Town Board, on advice of its consulting architectural designer, has determined that a Feasibility Study for the HVAC upgrades and electrical work needs to be performed by a qualified professional; and

WHEREAS, the Town Board, following the protocols contained in the Town's Procurement Policy, has received a proposal for engineering services from LAN Associates, Engineering, Planning, Architecture and Surveying LLP ("LAN") which sets a detailed proposal for performance of such Feasibility Study at a cost of \$10,970; and

WHEREAS, the Attorney to the Town has reviewed the said proposal and determined that with certain minor modifications to the same, the proposal from LAN is acceptable in form and content; and

WHEREAS, Jeanne Vanecko has provided a proposed agreement between owner and architect for continued architectural and design services to the Town in conjunction with this project, which provides, in relevant part, that the said services will be provided pro bono at no cost to the Town, except for drafting services which will be provided at cost at the rate of \$60.00 per hour; and

WHEREAS, the services of Jeanne Vanecko will include the preparation of a set of construction drawings and specifications sufficient for the formal bidding process as required by General Municipal Law §109 of the State of New York; and

**Town of North East
Town Board Regular Meeting
Town Hall, 19 N Maple Ave.
Millerton, New York
February 8, 2024, 7:00 PM**

WHEREAS, the Attorney to the Town has reviewed the proposed contract with Jeanne Vanecko and has determined that the same is sufficient in form and content, subject to some minor modifications; 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 determines, pursuant to the provisions of §§222 and 220 of the Town Law, to move forward with the reconstruction and renovation of the Subject Property for use as a Town Hall, in accordance with preliminary plans already proposed by Jeanne Vanecko and more detailed construction drawings and specifications to be prepared by Jeanne Vanecko pursuant to her contract with the Town; and be it further

RESOLVED, that the Town Board hereby resolves to authorize the Supervisor to execute the contract with Jeanne Vanecko and with LAN Associates Engineering, Planning, Architecture and Surveying LLP in the same, or substantially similar, form as may be amended on advice of the Attorney to the Town, without the necessity for further approval by the Town Board; and be it further

RESOLVED, that the Town Board further resolves to authorize the expenditure of necessary funds from the current budget and surplus funds which will be reimbursed in part by the aforesaid \$200,000 grant to pay for those services and for future engineering services and contractual construction work to be awarded pursuant to the formal bidding processes of §109 of the General Municipal Law.

This motion was offered by Town Board member Morrison and was seconded by Town Board member Mayville.

MOTION: Councilwoman Morrison

SECOND: Councilman Mayville

SUPERVISOR KENNAN	Voted Aye
COUNCILMAN FEDELE	Voted Aye
COUNCILMAN MAYVILLE	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 February 8, 2024.

Public comment period

Ed Covert, Town resident, asked if Dutchess County Sheriffs and the Jail were consulted for feedback on designs for the New Town Hall Court. The Supervisor answered yes, and the plans had been vetted by the County Court administration.

Supervisor's Report

Monthly Bills-

**RESOLUTION #142024
Budget Adjustment #12 for 2023**

A Fund had an expense increase of \$237 and an expense decrease of \$237 for a net change of \$0.

Motion made by Councilman Fedele and seconded by Councilwoman Winkler to accept the Budget Adjustment. Votes taken.

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

Nays- 0

The Budget Adjustment was accepted.

**Town of North East
Town Board Regular Meeting
Town Hall, 19 N Maple Ave.
Millerton, New York
February 8, 2024, 7:00 PM**

**RESOLUTION #152024
Abstract dated December 31**

An Abstract dated December 31, 2023 totaling \$176,835.81 broken down as follows:

A Fund	\$ 646.63
Capital Projects H1	\$176,189.18

Motion made by Councilman Fedele and seconded by Councilwoman Morrison to accept the Abstract. Votes taken.

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

Nays- 0

The Abstract was accepted.

**RESOLUTION #162024
Special Abstract dated January 25, 2024**

A Special Abstract dated January 25, 2024 totaling \$1,148.68 broken down as follows:

A Fund	\$1,148.68
---------------	------------

Motion made by Councilwoman Morrison and seconded by Councilwoman Winkler to accept the Special Abstract. Votes taken.

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

Nays- 0

The Special Abstract was accepted.

**RESOLUTION #172024
Abstract dated February 8, 2024**

An Abstract dated February 8, 2024 totaling \$205,030.18 broken down as follows:

A Fund	\$ 50,715.55
B Fund	\$ 113.50
DB Fund	\$ 51,640.26
Capital Projects H1	\$102,302.40
Payroll T&A	\$ 258.47

Motion made by Councilwoman Winkler and seconded by Councilman Fedele to accept the Abstract. Votes taken.

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

Nays- 0

The Abstract was accepted.

Voucher Committee for March: R. Fedele & M. Winkler

Approval of Minutes from meeting of January 2, 2024 (The Annual Re-Organization Meeting)

Motion made by Councilwoman Winkler and seconded by Councilwoman Morrison to approve the Minutes. Votes taken.

Ayes- 4 (Kennan, Morrison, Fedele, Winkler)

Nays- 0

Abstain- 1 (Mayville)

The Minutes of the Re-Organizational meeting are approved.

Approval of Minutes from meeting of January 11th, 2024

Motion made by Councilman Fedele and seconded by Councilman Mayville to accept the Minutes. Votes taken.

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

**Town of North East
Town Board Regular Meeting
Town Hall, 19 N Maple Ave.
Millerton, New York
February 8, 2024, 7:00 PM**

Nays- 0

The Minutes from January 11th were approved.

Meeting with Counsel

Motion made by Councilwoman Morrison and seconded by Councilman Fedele to enter Executive Session with Attorney and Assessor for the purpose of discussing pending litigation. Votes taken.

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

Nays- 0

Entering Executive Session at :8:03 PM

Motion made by Councilwoman Winkler and seconded by Councilwoman Morrison to exit the Executive Session. Votes taken.

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

Nays- 0

Adjournment

Motion made by Councilman Fedele and seconded by Councilman Mayville to adjourn. Votes taken.

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

Nays- 0

Meeting Adjourned at 8:30PM

Respectfully Submitted,

/s/: Elizabeth Strauss, Town Clerk

APPROVED: 03/14/24