

Town of North East
Town Board Regular Meeting

The Town Hall

19 N. Maple Avenue, Millerton, New York 12546

Thursday August 8, 2024 at 7:00PM

Call to Order, Pledge of Allegiance

Roll call

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

Town Attorney, Warren Replansky, was seated at the table.

Acceptance of Agenda

Supervisor Kennan added a resolution to the Agenda enabling the Town to negotiate with NDP for continued EMS contract, and he added an executive session at the end, without council, to address pending litigation.

Motion to accept the Agenda as amended made by Councilwoman Winkler and seconded by Councilwoman Morrison. Votes taken.

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

NAYS- 0

The Agenda, as amended, is accepted.

Supervisor Comments

Recently the Town staff had a chance to gather and see the new Highway garage space. There are still a few punch list items to be completed, including putting out an RFP for completion of the fencing. There will be an Open House for the Public on September 14th. More information will follow on the Town website, in the newspaper, and in the Supervisor email. It is an opportunity for members of the community to see the Garage.

Department and Committee Reports

- **Highway-** Bob Stevens, the Highway Superintendent, said it was time to place an advertisement for Material Bids for 2025. These include sand, gravel, black top and fuel. He asked for authorization from the Town Board to advertise.

A Motion was made by Councilman Mayville and seconded by Councilman Fedele to allow the Highway Superintendent to advertise for sealed bids for the Highway Materials needed in 2025. Votes taken.

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

NAYS- 0

The authorization is provided.

Mr. Stevens also added that the crew will be spending August working on drainage and ditches.

- **Assessor-** no report

- **Town Clerk: Planning, Zoning, & Building Department-** Department reports previously given to the Board. The Animal Control officer's July report was handed out to them. The Town Clerk reported that the annual season sales of hunting licenses had begun and there were schedules available in the office and on the Town website.

- **Town Board Committee Activity**

Cemetery- Councilman Fedele spoke about Spencer's Corners Burial Ground, dating from 1701. The committee had met with Martin Johnson of MCC and selected the next stones to be remediated. They now need to raise \$10-15K for possible work in October.

Recreation- Councilwoman Morrison has invited Crystal McCarthy, the Village Recreation Director, to next month's Board meeting. By then summer camp will be over and information pertinent to the Budget will be available. Supervisor Kennan said he had participated in a meeting at Eddie Collins Park with State representatives, Didi Barrett and Carl Heastie, County Legislator Chris Drago, and Mayor Jenn Najdek, regarding the pool. The Village of Millerton has applied to the NYS Swims Grant Program and Barrett has promised to make up the difference in funds needed for the pool. This will mean a bigger recreation program for the park.

Communication- Councilwoman Winkler reported that the website had been updated with pictures of the new Highway Garage and a new "Housing" tab under "Community", where we will put information about emergency housing, Habitat in our neighborhood, and a future ZBA & Planning Board "road map" for builders. Of the latter, Edie Greenwood and Dale Culver are working on it.

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Pro-Housing discussion

Councilwoman Winkler spoke about Pro-Housing, a new program initiated by the Governor of NY who is encouraging communities to join. There is no initial monetary gain. It sends “signals” and may be helpful with getting future grants for Housing initiatives. Pro-Housing documents were previously shared with Board members. The application process to join Pro-Housing is simple. The Supervisor must send an email expressing interest to join. A resolution needs to be made and Attorney Replansky has a sample that can be adapted to our Town. Afterwards there is a year to do the other paperwork, which will involve zoning and building permit history from the last 3-5 years. Seven surrounding towns from our community have applied already. Councilwoman Winkler stated that joining is positive move for us as a community. Supervisor Kennan said he has talked to other Town Supervisors and feels joining Pro-Housing cannot hurt. It remains to be seen what can come of this. He read a list of initiatives and programs that were included in the FAQ. He hopes for a resolution at the next town board meeting. Councilman Mayville asked if this was a commitment to be growing housing. Discussion followed among the Board members.

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.

Supervisor Kennan explained that this is protocol that has been passed for at least the last 7 years. The Board hopes always to come in under the tax cap, but it gets harder, especially with the budget impact of a new ambulance services contract.

RESOLUTION #492024

RESOLUTION ACCEPTING A PROPOSED LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT FOR FISCAL YEAR 2025 PURSUANT TO GENERAL MUNICIPAL LAW §3-C FOR COMMENCEMENT OF THE LOCAL LAW ADOPTION PROCESS

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 2025; and

BE IT FURTHER RESOLVED, the Town Attorney has prepared a proposed local law to override the tax levy limit for fiscal year 2025 pursuant to General Municipal Law §3-c, and the same has been reviewed by the Town Board members.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby accepts the proposed local law for the year 2024 entitled, “Local Law to Override the Tax Levy Limit for Fiscal Year 2025 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 12, 2024 at the Town of North East Town Hall, at 7:30pm and that the public hearing be duly noticed by the Town Clerk as required by law.

MOTION: FEDELE
SECOND: MORRISON

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

This resolution was declared duly adopted by a 5-0 vote on August 8, 2024.

Motion to approve renewal of BAN for Highway Garage

The current Bond Anticipation Note (BAN) that the Town holds for the Highway Garage is set to rollover. We have approached three banks for quotes. The Bank of Millbrook, which currently holds our BAN, has proposed no changes, as well as the lowest rate at 3.25%. Their BAN is also “callable” and can be terminated as desired. We will into that as we look for the best long term financial planning.

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RESOLUTION #502024
To Renew Current BAN with the Bank of Millbrook

RESOLVED, to keep our BAN with the Bank of Millbrook at the continued same interest rate of 3.25%

Motion to approve the renewal of the BAN made by Councilman Mayville and seconded by Councilwoman Winkler. Roll Call.

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

The approval of renewal of the BAN with Bank of Millbrook is accepted.

Speed reduction on Beilke & State Line Roads

There was talk at the last meeting about the danger of speeding cars in this neighborhood. Among the many different ideas and proposals, Councilman Fedele submitted a very simple proposal, which is to paint warnings on the road before the intersection. It can stay “STOP”, and “STOP AHEAD”. The County has put up additional “stop ahead” signs that are already in place. It has not reduced accidents. The Supervisor said he would research the cost for subcontracting the road painting. An additional proposal is striping the roads to make lanes, which are known as a calming device. Both options are possible without State or County permission. He has also looked at speed signs, both mobile, (like Stanford has), or permanent and radar-activated. They are expensive. Bob Stevens, Highway Superintendent, thinks the road painting is a good idea, which can only help. In the Town, only Pulver road and the first 100 feet of Haight road are striped. Board members discussed and the Supervisor agreed that he would bring back to the next Board meeting a proposal for painting and striping for both Beilke and Stateline. He will continue work with Bob for additional steps that we can do at this time.

Update on Habitat for Humanity home building project

Maureen Lashlee, CEO of Habitat for Humanity Dutchess County was invited to report to the Board. She spoke with gratitude to the Board for helping pave the way for affordable housing in our community with the sale of the Town-owned land. Applicant Anthony Magiconne, head of a family of four, is the new home buyer. He was an original contractor helping in NYC at 9/11, and is now suffering the side effects from that. The Habitat time line and calendar of construction was shared with the Board. They expect the foundation will be laid on September 12. There is an option to sign up to help in October. Once the sill plate is installed there is much more opportunity for volunteers. The ground breaking will be September 4th and hopefully a November 20th dedication. Jessica Miuccio, CDO at Habitat, spoke and gave thanks for the support. They have been subcontracting with local businesses, from excavators to HVAC. Councilwoman Winkler said she was at the volunteer sign-up and that there is lots of information to be sent out to the community. The Town will help spread the word.

Resolution authorizing the Supervisor to execute a 5-year extension contract for ambulance services.

This last item is added to the Agenda by the Supervisor. As we move forward in our discussions with NDP paramedics regarding a contract for next year, the three towns have agreed to move forward as we were up to now, and to negotiate together for a continued contract for EMS services. To start the process we need a resolution from the Town Board approving the Supervisor to engage in that discussion.

RESOLUTION #512024

**RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A
FIVE-YEAR EXTENSION CONTRACT FOR AMBULANCE SERVICE WITH
NORTHERN DUTCHESS PARAMEDICS, INC.**

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WHEREAS, the Towns of North East, Amenia and Dover entered into an Ambulance Services Agreement with Northern Dutchess Paramedics, Inc. (“NDP”), a full service medical transportation corporation, with offices located at PO Box 672, 3 Hook Road, Rhinebeck, New York 12572, on or about December 9, 2019; and

WHEREAS, this agreement, by its terms, expires on December 31, 2024; and

WHEREAS, paragraph “13” of the agreement provides, in relevant part, that the Towns shall have the right to renew the agreement upon the terms and conditions as provided for in the agreement for an additional period of either one, three or five years with a four percent (4%) increase in the annual subsidy for one year, three percent (3%) for three years, and two percent (2%) for five years; and

WHEREAS, paragraph “13” of the contract provides that the Town may exercise its option by notifying NDP in writing by certified mail, return receipt requested, sixty (60) days prior to the expiration of the agreement of its decision to renew the agreement and that upon the Town’s exercise of its option to renew, the parties agree to execute either a new agreement containing new terms or a memorandum agreement extending the modified terms of this agreement for the additional period; and

WHEREAS, the Supervisor and Attorney for the Town have met with the Supervisor and attorneys for the Towns of Dover and Amenia and have agreed, subject to the approval of the Towns’ respective Town Boards, to exercise the option for renewal of the agreement for a period of five years with an increase in the annual subsidy of two percent (2%) for the five-year period; and

WHEREAS, the Town Board has reviewed the existing contract and have been provided with legal advice from the Attorney to the Town and have been notified that the Towns of Amenia and Dover will be obtaining approvals by resolution of their respective Town Boards for renewal of the contract for the three municipalities for a five-year period.

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor, with the assistance of the Attorney to the Town, to notify Northern Dutchess Paramedics of the Town’s intention to exercise their option to renew the contract with Northern Dutchess Paramedics for a period of five years, as provided for in the existing contract.

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

MOTION: FEDELE
SECOND: MORRISON

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 August 8, 2024.

Public Comments Period

Ms. Grieco is disappointed that the Board is not going to pursue either a reduction of the speed limit with the County or an electronic speed indicator.

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Supervisor Kennan reiterated that the time lost in the long process to get a possible speed reduction is time we could try a few other tactics.
Greico disagreed, asks for increased police presence, and finds the striping idea disappointing. Discussion followed between Councilwoman Winkler, Supervisor Kennan, Ms. Greico and her husband, Mr. Jim Cole.
Mr. Jim Cole encouraged the Board to pass a resolution reducing the speed limit, and questioned the proposed Tax levy Limit Law.
Rich Stalzer spoke in favor of striping and mentioned the dangers of lack of visibility for bicyclists.
Supervisor gave kudos to Bob Stevens for the highway crew's work in clearing growth from intersections and work on increasing the sight lines at Beilke and Route 22 and Beilke and the Rail Trail.

Supervisor's Report

RESOLUTION #522024
Budget Adjustment #6 of 2024

A Fund expense increase of \$7,932.00 less an expense decrease of \$1000 and less a revenue increase of \$6,932.00 for a net change of \$0.

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

AYES- 5 (KENNAN, MORRISON, FEDELE, WINKLER, MAYVILLE)
NAYS- 0

The Budget Adjustment was approved.

RESOLUTION #532024
Special Abstract dated July 24, 2024

Special Abstract dated July 24, 2024 totaling \$13,087.13 broken down as follows:

A Fund	\$3,403.03
DB Fund	\$9,684.10

Motion to accept the Special Abstract was made by Councilman Mayville and seconded by Councilwoman Morrison. Votes taken.

AYES- 5 (KENNAN, MORRISON, FEDELE, WINKLER, MAYVILLE)
NAYS- 0

The Special Abstract was accepted.

RESOLUTION #542024
Abstract dated August 8, 2024

Abstract dated August 8, 2024 totaling \$232,652.77 broken down as follows:

A Fund	\$121,926.81
B Fund	\$ 31,790.45
DB Fund	\$ 78,677.04
Payroll T&A	\$ 258.47

Motion to accept the Abstract was made by Councilwoman Winkler and seconded by Councilman Mayville.

AYES- 5 (KENNAN, MORRISON, FEDELE, WINKLER, MAYVILLE)
NAYS- 0

The Abstract was accepted.

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

Approval of Minutes from Meeting of 7/11/24

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Motion made to approve the minutes was made by Councilman Fedele and seconded by Councilwoman Winkler. Votes taken:

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

NAYS- 0

The Minutes of July 11th were approved.

Meeting with Counsel

Motion made by Councilman Mayville and seconded by Councilwoman Morrison to enter into Executive session concerning pending litigation. Votes taken:

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

NAYS- 0

Motion made by Councilwoman Morrison and seconded by Councilman Mayville to exit from Executive session. Votes taken:

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

NAYS- 0

Adjournment

Motion made by Councilman Fedele and seconded by Councilwoman Winkler to adjourn. Votes taken:

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

NAYS- 0

Meeting was adjourned at 8:30PM

APPROVED: 9/12/2024

/s/: Elizabeth Strauss, Town Clerk