

**Town of North East
Town Board Meeting
Thursday, February 13, 2025, 7PM
Town Hall, 19 N. Maple Ave., Millerton, NY**

Call to Order at 7PM

Pledge of Allegiance

Roll Call

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

Warren Replansky has a seat at the table.

Acceptance of the Agenda

Addition of resolution to accept a revised fee schedule for the Building department and an executive session at the end of the meeting to discuss pending litigation.

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

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

Supervisor Comments

There has been weather! The Highway Dept has been up all night. The Superintendent has asked to be excused from tonight's meeting.

There was a disastrous fire at the Village Highway and Water Building. Grateful to the Mayor for being here tonight.

The Town of Ancram is putting a 150-foot cell tower on their southern border - a piece of property near White House Crossing and Rte 22. There will be a public meeting later in February in Ancram. The CAC is asked for their opinion we are looking forward to hearing thoughts from residents. Some residents in Boston Corners are looking forward to better cell service. Some are not happy about the visibility of the tower.

The County Executive, Sue Serino, was here earlier this week with Ron Hicks, of County Economic Development, to talk to local businesses about what the County could do to help them. Waste water and housing were brought up. It was well attended.

We are revising the zoning of our commercial districts. The ZRC has finished it's work and given their report to the Town Board. The Town Board will have another special meeting on Tuesday next week and would appreciate the Town Attorney, Warren Replansky, being available.

The Accountants at the firm of RBT have been working with the Town for some time. Michael Torsia does our Annual Financial Report, which is given to the State and he has met with the Town Board to talk about our financial debt structure. We want to continue to use him for that. They have also done the audits of Town Clerk, Tax Collector, and Justice Court. We are now looking for someone more local to do audits for the Town departments. Bob Patterson who has worked with the Town before, is based up in Hillsdale, and we are looking forward to working with him for those audits at a cost saving for the Town.

DJ Heating and Cooling have been getting the New Town Hall HVAC units working. It has been out of service for a couple of years. Impressed with the person from DJ who was out in the snow working for a while. We have an issue with the propane tank that the Board will discuss at a future time. It appears that the propane tank is owned by Suburban Propane. We need propane quickly.

Public Comment on Agenda Items Only- none

Department and Board Committee Reports

-Highway Department- no report

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-Assessor- Katherine Johnson shared a report with the Board Members. Her office is in the midst of exemption season. All exemptions that are income based must be renewed annually. The deadline is March 1st to renew exemptions, including but not limited to Senior, non-profits, veterans, disability and agriculture. We have sent applications to seniors. There is a new update to the law from a couple years ago that required a “second notice” informing all residential property owners that the Senior exemption is available. Now we are required to mention the Low-income Disability exemption and the Veterans exemption. The postcards were mailed 2 weeks ago by the County who has picked up the cost for the Towns. It has been helpful, we have added bunch of seniors and a few veterans. Taxable status date locks in place March 1 which is the date that we set all data on properties. Going out in field and catching any new building going on. All property owners are encouraged to check their data records.

The goal with our market analysis has been to stay at 100% equalization rate. The Office of Real Property Tax Services (ORPTS) requires the Assessor to evaluate market trends and make corrections to the Roll in order to keep our assessments in line with market conditions. To assist in this requirement, ORPTS annually completes its own evaluation of our market trends for the major types of properties: Residential, Vacant, and Commercial. Both their analysis and our’s indicate that the market trends in each property types is increasing. A few months ago I shared an independent report for a large Realtor Firm which indicated that average residential sales prices in Dutchess County were up by 15%.

The Assessor is tentatively planning for Commercial and Vacant at 6%, and Residential at 8%. The ORPTS indicates that those percentage increases would be required to bring our 2025 Roll to 100%. Good news is that the market is strong, and people want to be here.

The Supervisor shared a brochure printed by the County of 2025 Town tax rates.

-Tax Collector- We have collected over 37% of the total Roll so far. This week we started with each receipt inserting a colorful diagram, created by Board members and Budget Officer, illustrating the 2025 Budget Overview including the Fire District. So far 50 have been distributed.

-Planning, Zoning, & Building Department – Reports were previously sent the Board Members.

Highway Committee – The Supervisor shared that the contract for the fence to be installed is ready to be approved by the Board.

Housing Committee – Councilwoman Winkler shared that Amenia had become certified Pro-Housing. We hope to do that this year.

Communications- Councilman Mayville said they had been comparing several Town websites, looking to see how to make it easier for people. Three clicks is the maximum goal. They are asking residents to look at the site. The Village’s website is much improved. The new Town Budget chart is on the website. The Supervisor thanked Councilwoman Morrison, Councilwoman Winkler, Budget officer Lorna Sherman, and the Assessor for working on it.

Consideration of MOU with Village of Millerton, to permit Town to assist the Village with certain road and infrastructure maintenance.

The Supervisor invited Mayor Najdek to speak. She reported that the Village is still under a State of emergency due to the Fire. Everybody did a great job. No one was hurt. The most critical issue was to make sure the Water system was up and operating. The DEC and the NYS Board of Health continue to sample the water often. A week in they are planning for immediate needs, such as the support from the Town of North East to maintain roads and plow. The Insurance Co and investigators need to release the scene. Foul Play has been ruled out. They have received LOTS of support and equipment from across the County, from Fishkill, to Sharon Ct, to Ancram in Columbia County. The Fire Department did a great job. The DC Sheriffs were wonderful. The Village faces a monumental task and is coming up with a plan to move forward. Right now they cannot plow residential sidewalks, which was done in the past as a courtesy. It has always been the responsibility of the home owner and now there is no Village equipment to do it anymore. The Village Mayor asks that people stay focused on the facts and avoid spreading rumors. If in doubt, she would love a phone call.

The Supervisor asked if we could do anything to help. We already share fueling equipment, storage barn, salt shed. We have room for facilities and fuel at the New Highway Garage.

The Mayor said that the Village Highway staff mentioned how great and accommodating the Town Highway department had been. Shawn Morrison immediately offered to plow the Village roads. We are

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very grateful for the help. The Supervisor mentioned that Jim Milton, in the smaller plow truck knows the Village streets pretty well.

RESOLUTION # 112025

AUTHORIZING THE TOWN SUPERINTENDENT OF HIGHWAYS TO ASSIST THE VILLAGE OF MILLERTON AND ITS HIGHWAY DEPARTMENT WITH THE PLOWING, REPAIR AND MAINTENANCE OF THE VILLAGE HIGHWAYS PURSUANT TO THE PROVISIONS OF §142-c OF THE HIGHWAY LAW DURING THE PERIOD OF THE VILLAGE'S STATE OF EMERGENCY

WHEREAS, the Village of Millerton Highway Garage and the vehicles and equipment stored within were recently destroyed due to a fire; and

WHEREAS, the Village declared a State of Emergency pursuant to §24 of the New York State Executive Law on February 2, 2025; and

WHEREAS, the Village has requested assistance from the Town of North East with regard to the plowing, maintenance and repair of the Village roads during the State of Emergency; and

WHEREAS, §142-c of the Highway Law authorizes the Town Superintendent of Highways to maintain the streets and highways of the Village within the Town borders on such terms and conditions as the Town Board and Village Trustees may agree; and

WHEREAS, the Town and the Village are in the process of negotiating a long-term Memorandum of Understanding for the sharing of the Town's new highway garage.

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Highway Superintendent to assist in plowing, repairing and maintaining the streets and highways of the Village during the Village's State of Emergency pursuant to terms and conditions which may be agreed upon among the Highway Superintendent, the Town Board and the Village Highway Superintendent, the Village Mayor and Trustees.

This motion was offered by Town Board member Ralph Fedele and was seconded by Town Board member Chris Mayville.

MOTION: Councilman Fedele

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 13, 2025

Resolution for awarding a Fence contract for the New Highway Garage

The Supervisor shared that we had 8 bids and numerous potential bidders looking at the garage site. All the bids were evaluated by George Schmidt at CPL. We are prepared to accept a bid from Fesco Fence, who will be able to start once the ground softens.

Warren read the resolution. He said the Town was awarded a grant by Dutchess County for a fence several years ago that will mostly cover this. Fesco Fence Owner has been up here several times and is eager to do the job. There will be a mechanical gate operated by our Highway, the Village Highway, and the Fire departments. The Bid documents contain the contract to be signed. The Engineer will prepare the Award. George Schmidt has been very helpful.

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RESOLUTION #122025

**AWARDING CONTRACT FOR FURNISHING OF ALL
MATERIALS AND LABOR NECESSARY FOR THE CONSTRUCTION AND INSTALLATION
OF PERIMETER FENCING AND AUTOMATIC GATE OPERATOR AT THE NEW TOWN
HIGHWAY GARAGE**

WHEREAS, the Town has constructed a new Highway Garage at 6097 Route 22, Millerton, New York; and

WHEREAS, the Town Engineer (CPL Architecture, Engineering, Planning) has prepared plans and specifications for the said project, together with a bid package dated December, 2024; and

WHEREAS, the said plans and proposed bid package were reviewed by the Town Board and the Attorney to the Town and were determined to be acceptable in form and content; and

WHEREAS, the Town Board, by Resolution dated December 12, 2024, authorized the Town Clerk and the Town Engineer to disseminate the Notice to Bidders and Bid Package and to invite sealed bids for the furnishing of materials and labor necessary for the said perimeter fencing and automatic gate operator; and

WHEREAS, the bid package required all bidders to include, with their bid, a 10% contingency allowance above the base bid; and

WHEREAS, the bid of Fesco Fence, Inc., 237 South Route 303, West Nyack, New York, of \$166,000 was the lowest bid, but it was unclear whether the bid of \$166,000 included the 10% contingency allowance; and

WHEREAS, the Town, in its bidding documents, reserved the right in its discretion to waive technical non-compliance or irregularities that are not material or substantial in the bids submitted and the Town is further permitted to seek clarification from the bidder with regard to their bids submitted; and

WHEREAS, the Town Engineer has communicated with Fesco Fence, Inc. and requested clarification of its bid to determine if the bid of \$166,000 included the contingency allowance; and

WHEREAS, the Town has been informed, in writing, by Fesco Fence, Inc. that the total bid of \$166,000 included an allowance of \$15,090.91, which resulted in a base bid of \$150,909.09; and

WHEREAS, the Town Engineer, on behalf of the Town, has reviewed the bids, held discussions with the Town Board, and reviewed the qualification statements received and checked references to the extent reasonably possible and has recommended to the Town Board that the bid of Fesco Fence, Inc. of \$150,909.09, together with an added mandatory contingency allowance of 10% was the lowest responsible bidder;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby awards the contract for the construction and installation of perimeter fencing and automatic gate operator for the new Town Highway Garage to Fesco Fence, Inc..

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

MOTION: C. Mayville

SECOND: M. Winkler

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 13, 2025.

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Building Department FEES

The Supervisor reminded that the Board had talked about a revised fee schedule at the re-organizational meeting earlier this year. Councilwoman Winkler spent time with Building Inspector Mike Segelkin and Building Secretary Ann Deneen looking over the list. The result is a list of fees more congruent with the Village fee schedule. Councilwoman Winkler said she had learned a lot and looked at best practices for a benchmark. Segelkin is also the code enforcement officer for Amenia, so they were able to look at those fees as well as other towns. The new list is much clearer, and broken down into categories. This is a start and can be updated. We are eager to get this into the hands of property owners and on the website. Much thanks to Ann Deneen.

**RESOLUTION #132025
Approving the 2025 Building Department Fees**

A Motion was made by Councilman Mayville and seconded by Councilman Fedele to approve the Building Department's new revised fee schedule.

Roll Call

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

The Resolution passed with a 5-0 vote.

The Supervisor distributed to the Board members a revised fee schedule for the ZBA. There were no fee changes, just language clarification.

Standard work day and reporting Resolution

This is applicable to employees not hired on an hourly basis. A yearly resolution for Board approval for the State and local retirement system. It gets posted on the board in the lobby for thirty days.

**RESOLUTION #142025
Standard Work Day and Reporting Resolution for Elected and Appointed Officials**

A motion was made by Councilwoman Morrison and seconded by Councilman Mayville to approve the Report. Votes Taken.

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

The Resolution passed with a 5-0 vote.

Public comment period

The Supervisor reminded the public that this was an opportunity for members of the public to give comments. It is not intended to be a debate. There will be a five minute time limit.

Sam Busselle, Town resident, spoke about opportunities for affordable housing in rural communities. He cited the \$500,000 Dyson Foundation contribution to Hudson River Housing to provide "pre-development" funds for county municipalities to accelerate prospects for housing development. He also expressed hope that the Tri-Town Coalition share resources and focus the state on a region, not just a single community. Dennis Wedlick, architect for Columbia County's 'Habitat for Humanity' for over four years, is working with Columbia County town supervisors, and they have received support and funding from the state, the municipalities, and donations from residents. He is eager to get the concept to work in Dutchess County, starting with a zoom call with Chris Brown and the TriTown Coalition. In addition, Columbia County has established a fund to hire a fulltime 'planning and development' coordinator – Chris Brown- who has been assisting each community for several years.

Bill Kish, Town resident, shared that the NYS DEC issued permits for Iroquois expansion project. The Town had sent a resolution against issuing the permits. He shared several reasons to oppose it. The Dover compression station is going to be emitting effluent in air. At meeting of the PSC in Albany where representatives from vicinity of the Dover and Athens NY compressor stations made it known we are very upset. This permitting would be against the NYS Climate Act Law, except for the exemption if "gas is needed." Then the PSC can override the Law. Mr Kish asks the Town Board to meet and interact with

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State, County, and Federal level representatives in hopes to share how disappointed we are that this has come to pass, and continue to argue that it can still be stopped.

**Supervisor's Report
- Budget Adjustment #13 for 2024**

**RESOLUTION #152025
Budget Adjustment #13 for 2024**

A FUND- An expense increase of \$3099.00, less and expense decrease pf \$3099.00 for a net change of \$00

Motion to accept the Budget Adjustment was made by Councilwoman Winkler and seconded by Councilwoman Morrison. Votes taken.

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

The Budget Adjustment was accepted.

- Monthly Bills Abstract/Special Abstracts

**RESOLUTION #162025
Special Abstract dated January 24, 2025, totaling \$14,236.82**

Special Abstract dated January 24, 2025, totaling \$14,236.82 broken down as follows:

A FUND-	\$ 3905.82
DB FUND-	\$10,331.00

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

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

The Special Abstract was accepted.

-Monthly Bills Abstract

**RESOLUTION #172025
Abstract dated December 30, 2024 totaling \$51,945.56**

A FUND-	\$ 3149.22
B FUND-	\$41,745.00
DB FUND-	\$ 7051.34

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

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

The Abstract was accepted.

**RESOLUTION #182025
Abstract dated February 13, 2025 totaling \$126,225.36**

A FUND-	\$62,106.37
B FUND-	\$ 234.29
DB FUND-	\$63,424.11
T&A2 Escrow-	\$ 175.00
Payroll T&A-	\$ 285.59

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Motion to accept the Abstract was made by Councilwoman Winkler and seconded by Councilman Fedele. 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 meetings of 1/02/25 and 1/09/25 and 1/21/25

Motion to accept the Meeting minutes of three January meetings was made by Councilman Fedele and seconded by Councilwoman Morrison. Votes taken.

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

Executive Session Meeting with Counsel to discuss potential litigation.

Motion to enter Executive Session was made by Councilwoman Morrison and seconded by Councilman Fedele. Votes taken.

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

Motion to exit Executive Session was made by Councilman Mayville and seconded by Councilwoman Winkler. Votes taken.

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

Adjournment

Motion to adjourn was made by Councilwoman Winkler and seconded by Councilwoman Morrison. Votes taken.

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

Meeting was adjourned at 8:28 PM

Submitted by Town Clerk,

/s/: Elizabeth Strauss

APPROVED: 3/13/2025