

**Town of North East
Town Board**

Millerton, New York
September 10, 2026 at 7:00 P.M.

Call to Order, Pledge of Allegiance

Roll call

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

Attorney Warren Replansky was at the table.

Acceptance of Agenda

The Supervisor asked to amend the agenda to add close-out of financials for the Town Highway Construction project, add time for a Public Comment and we will need an executive session to discuss current litigation and the employment of a particular individual.

Motion to approve the agenda was made by Councilmember Morrison and seconded by Councilmember Mayville. Votes taken.

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

The Agenda, as amended, was approved.

Supervisor Comments:

Tomorrow is the 25th anniversary of the 9-11 attack. A somber date. The Town of Stanford has a very moving display on their hill in front of the Town Hall. They will be reading the names of the victims at a ceremony at 7pm Friday night.

EMS issues are a continual concern. We spend over \$696,000 for less than one call a day. Supervisors and Mayors met last week at the Poughkeepsie 911 center with the County Executive and Bill Beale, who presented plans for an enhanced county wide EMS Services. Still in the plans, but we can hope for a resolution in the next few months.

Dutchess County is busy replacing sidewalks in front of the Town Hall right now. Once finished it should help pedestrians on both North and South Maple Avenue.

Engineers from Tighe & Bond met last week to show where the pipes will be under the Boulevard. They have the technology to drill under the roads without stopping traffic. The wastewater plans are in the design phase and moving forward.

The Millerton Business Alliance met last week and discussed additional sidewalk events to enhance Village business experiences.

Supervisor's Report

- **Monthly Bills: Budget Adjustment, Special Abstracts & Abstract**

**RESOLUTION #582026
Budget Adjustment #5 of 2026**

An **A Fund** expense increase of \$715, less and expense decrease of \$715 for a net change of \$00

A **B Fund** increase of \$354, less an expense decrease of \$354 for a net change of \$00

A **DB Fund** increase of \$9,426, less an expense decrease of \$9426 for a net change of \$00

Motion to approve the Budget Adjustment was made by Councilmember Mayville and seconded by Councilmember Winkler. Votes taken.

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

The Budget Adjustment was approved.

**RESOLUTION #592026
Special Abstract dated August 25, 2026 totaling \$1,461.72**

Special Abstract dated August 25, 2026, totaling \$1,461.72 broken down as follows:

A Fund	\$1,461.72
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Motion to accept the Special Abstract was made by Councilmember Morrison and seconded by Councilmember Mayville. Votes taken.

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

The Special Abstract was accepted.

**RESOLUTION #602026
Abstract dated September 10, 2026, totaling \$160,190.25**

Special Abstract dated September 10, 2026, totaling \$160,190.25 broken down as follows:

A Fund	\$72,096.38
B Fund	\$ 984.96
DB Fund	\$86,858.84
Payroll T&A	\$ 250.07

Motion to accept the Abstract was made by Councilmember Winkler and seconded by Councilmember Mayville. Votes taken.

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

The Abstract was accepted.

Voucher Committee for October 2026: L. Morrison and C. Mayville

Public Comment on Agenda Items Only- none

Department and Committee Reports

- **Highway-** Joshua Schultz reported that the paving projects on Skunks Misery and Perotti Roads are completed. The Morse Hill Road bank stabilization seems to look pretty good. They will keep an eye on it. The crew is cleaning up storm damage, and they helped the Town of Amenia Highway work on Separate Road. Next week they will be replacing cross pipes on Copper Road. On Thursday at 11 am the Clerk will open and record any Material Bids received.

Public Hearing on Proposed Public Law, LL#3, Permitting the Town to exceed the NY State Tax Cap scheduled for 7:15pm.

The Public Hearing opened at 7:15
No Public Comments.

A motion was offered by Councilmember Mayville and seconded by Councilmember Morrison to close the Public Hearing. Votes taken.

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

The Public Hearing closed at 7:17 pm.

RESOLUTION #612026

**ADOPTING A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT FOR FISCAL YEAR
2027 PURSUANT TO GENERAL MUNICIPAL LAW §3-c AS LOCAL LAW NO. 3 OF THE
YEAR 2026**

WHEREAS, the Town Board 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 2027; and

WHEREAS, the Town Board by Resolution dated August 13, 2026 accepted a proposed Local Law to override the tax levy limits for fiscal year 2027 pursuant to General Municipal Law §3-c for commencement of the Local Law adoption process; and

WHEREAS, the Town Board scheduled and duly noticed a public hearing on said Local Law to be held on September 10, 2026 at the Town of North East Town Hall; and

WHEREAS, the Town Board opened the public hearing and heard comments on said Local Law and closed the public hearing on September 10, 2026; and

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WHEREAS, the Town Board has determined that this action is a Type II action under SEQRA and does not require environmental reviews; and

WHEREAS, the Town Board has determined that it is in the best interests of the Town of North East to adopt this Local Law.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby adopts Local Law No. 3 of 2026 entitled "A Local Law to Override the Tax Levy Limit for the Fiscal Year 2027 Pursuant to General Municipal Law §3-c"; and it is further

RESOLVED, that the Town Clerk is hereby directed to file said Local Law in the Office of the Department of State, as required by law.

WHEREUPON, the above Resolution was offered by Town Board member Winkler, and was seconded by Town Board member Morrison and the vote was as follows:

SUPERVISOR KENNAN	VOTED Aye
COUNCILMAN MAYVILLE	VOTED Aye
COUNCILWOMAN MORRISON	VOTED Aye
COUNCILWOMAN WINKLER	VOTED Aye
COUNCILWOMAN COLE	VOTED Aye

This Resolution was declared duly adopted with a 5-0 vote on September 10, 2026.

Department and Committee Reports, continued

-Planning Zoning, Building Department- Reports previously sent to the Board.

-Town Clerk and Tax Collector: Multiple Complaints have been filed by Dave Decker regarding excessive noise from the Gun Club dated August 25 and September 5.

Town Board Committee Activity

-Housing- Councilmember Winkler said the good news is that nine people from our Town applied for ADU grants of \$12,500 each, and two residents were approved. One has started construction and the other is still in the paperwork stages.

-Communications- Councilmember Winkler said that they are gathering information regarding public communications emergency messaging services and hoping to offer and opt-in plan for Town residents.

-Public safety- The Supervisor said he met at the 911 center with Bill Beale, Emergency response Commissioner. Our Town is one of three who have completed their Emergency Preparedness documentation.

-Personnel- The Supervisor said we would revisit this later.

Resolution to approve of LAN proposal for renovation of New Town Hall and accepting a cost estimate

RESOLUTION#622026

**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 property located at 5603 Route 22 in the Town of North East owned by the Rhinebeck

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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 provided by Jeanne Vanecko included 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 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 such construction 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, 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, entered into an agreement for engineering services from LAN Associates, Engineering, Planning, Architecture and Surveying LLP ("LAN") for performance of such Feasibility Study at a cost of \$10,970.00 which study has been completed and payment made from surplus funds; and

WHEREAS, Jeanne Vanecko has provided certain architectural and design services to the Town in conjunction with this project pro bono at no cost to the Town except for drafting services at a cost of \$5,760.00; and

WHEREAS, LAN Associates has, at the request of the Town Board, prepared a final budgetary cost estimate for the remainder of the project which includes the fees to be performed by LAN in conjunction with detailed construction plans, bid documents, and review of bids and awards of contracts and contract construction supervision in the total amount of \$1,536,313.93. A copy of LAN's final budget is annexed hereto as Exhibit "A"; and

WHEREAS, the plan for financing the Town Hall renovation construction is as follows:

- (a) \$100,000 from the Town 2026 budget for buildings, A Fund Buildings CE;
- (b) \$100,000 from the Town's 2027 budget A Fund Buildings CE;
- (c) New York State grants through DASNY \$400,000;
- (d) Dutchess County MIG grant for ADA bathrooms, \$25,000;
- (e) Issuance of a Statutory Installment Bond not to exceed five (5) years in the amount of \$928,043.93; and

WHEREAS, the Town's plans for further financing of this project include utilization of the proceeds of the sale of the current Town Hall located at 19 North Maple Avenue, together with one adjoining parcel; and

WHEREAS, the Town Board has determined that this is an Unlisted Action under SEQRA, which requires environmental review; and

WHEREAS, the Town Board has determined that it is the only involved agency for this project; and

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WHEREAS, the Town Board has determined, after review of the Part 1 and Part 2 of the Short Form Environmental Assessment Form that this action does not have the potential for any significant impacts and that a Draft Environmental Impact Statement need not be prepared.

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 by Jeanne Vanecko revised and more detailed construction drawings and specifications to be prepared by LAN; and be it further

RESOLVED, that the Town Board hereby resolves to authorize the Supervisor to execute the contract with LAN Associates Engineering, Planning, Architecture and Surveying LLP in the same, or substantially similar, form as may be prepared by the Attorney to the Town; and be it further

RESOLVED, that this Resolution shall supersede the Town Board Resolution No. 182024 dated March 14, 2024

This motion was offered by Town Board member M. Winkler and was seconded by Town Board member R. Cole. Roll Call.

SUPERVISOR KENNAN	Voted	Aye
COUNCILWOMAN COLE	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 September 10, 2026.

Resolution of approval of contract with NECC

The Supervisor pointed out that the annual amount (\$5500.) that the Town pays the North East Community Center (NECC) has stayed the same for a long time. This is in recognition of the valuable services that NECC provides in our town.

RESOLUTION #632026

APPROVE RENEWAL OF NECC CONTRACT

RESOLVED, to approve the Town of North East and North East Community Council Recreation Hall and Social Services Contract in the amount of \$5500.00. A motion made by Councilmember Mayville and seconded by Councilmember Winkler. Votes taken.

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

The Resolution was adopted on September 10, 2026

Re-appointment of Peter Cody to the Board of Assessment Review

Cody is a member of the BAR and his term is expiring this month. He would like to continue, and the Assessor is very much in favor of his reappointment.

RESOLUTION #642026

To Re-Appoint Peter Cody to the BAR

RESOLVED, to reappoint Mr. Peter Cody to a 5-year term on the Board of Assessment Review that runs from October 1, 2026 to September 30, 2031. A motion was made by Councilmember Winkler and seconded by Councilmember Morrison to reappoint Peter Cody to the BAR for a term that will end September 30, 2031. Votes taken.

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

The Town Board voted unanimously to reappoint Peter Cody to the BAR for a 5-year term.

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Acceptance of Water District Benefit Assessment Roll and set date for Public Hearing on October 8th, 2026

The Assessor delivered the roll to the Town Board at the workshop meeting on September 2nd.

RESOLUTION #652026

**ACCEPTANCE OF WATER DISTRICT BENEFIT ASSESSMENT ROLL AND
SET DATE FOR PUBLIC HEARING**

RESOLVED, to accept the Water District Benefit Assessment Roll of 2026-2027 and set a public hearing on October 8th at 7:15pm at the North East Town Hall in order to approve the Water District Benefit Assessment Roll.

Motion made by Councilwoman Morrison and seconded by Councilman Mayville. Votes taken.

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

The Resolution was adopted on September 10, 2026, with a Public Hearing set for October 8, 7:15pm

Project Close Out

This deals with the last remaining financial items concerning the construction of the Town Highway garage. There are no further financial items left relating to the project.

RESOLUTION #662026

**AUTHORIZING THE TOWN SUPERVISOR TO EXECUTE
PROJECT CLOSE-OUT AGREEMENT FOR TOWN GARAGE PROJECT**

WHEREAS, on or about April 6, 2022, North East and Icon entered into a contract (the “Contract”) pursuant to which Icon agreed to serve as the general contractor for the public construction project known as the New Highway Department Garage Building, located at 6097 Route 22, Millerton, New York (the “Project”); and

WHEREAS, in connection with the Contract, Liberty, as surety, and Icon, as principal, furnished to North East a Performance Bond and a Payment Bond, each bearing Bond No. 015206049 with respect to the Project (collectively, the “Bonds”); and

WHEREAS, due to ICON’s default in the terms of the Contract with the Town, the Town called the Performance Bond due; and

WHEREAS, pursuant to a certain Assignment of Contract Funds – Public Improvement, dated February 28, 2024, Icon assigned to Liberty all monies due or to become due to Icon from North East under the Contract; and

WHEREAS, the Parties acknowledge that the Project has been completed in accordance with the Contract as of December 13, 2024 except for certain work performed by the Town (see Notice of Final Completion annexed hereto as Exhibit “A”); and

WHEREAS, any maintenance and guarantee obligations of Icon under Section 8.7 of the Contract have expired; and

WHEREAS, there are payments in the amount of \$94,984.04 still due under the Contract, and the Parties wish to resolve, to the extent set forth in this Agreement, all remaining issues and disputes relating to the Contract; and

WHEREAS, Liberty Mutual’s attorneys have proposed that the Town Board sign a Close-Out Agreement, a copy of which is annexed hereto as Exhibit “B”.

NOW, THEREFORE, be it

RESOLVED, that the Town Board authorizes the Town Supervisor to execute the said Close-Out Agreement in the same, or substantially the same, form as annexed hereto.

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

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SUPERVISOR KENNAN	Voted Aye
COUNCILWOMAN COLE	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 September 10, 2026.

Resolution to approve contract with Dutchess County for removal of snow and ice on certain County roads.

The Supervisor invited Joshua Schultz to explain which roads were included in the 12.6 miles of County roads. The Board members had copies of the contract previously shared with them. It was noted that the County increased its rate this year.

RESOLUTION #672026

**AUTHORIZING THE TOWN SUPERVISOR TO EXECUTE AN
INTERMUNICIPAL AGREEMENT FOR SNOW REMOVAL AND ICE
CONTROL SERVICES WITH THE COUNTY OF DUTCHESS**

WHEREAS, Dutchess County has, for several years, contracted with the Town of North East for the control and removal of snow and ice from the County roads within the Town of North East; and

WHEREAS, the Town has appropriate snow and ice removal equipment and sufficient snow and ice control personnel and materials on hand to contract with the County for snow and ice removal control services of the County roads within the Town; and

WHEREAS, the Town Highway Superintendent has advised the Town Board that the contractual arrangements between the Town and County have been satisfactory; and

WHEREAS, the County has proposed an Intermunicipal Agreement for snow and ice removal for the period of one year commencing October 1, 2026 and expiring on September 30, 2027, which has been reviewed by the Town Highway Superintendent and the Attorney to the Town and has been found to be sufficient in form and content.

NOW, THEREFORE, be it

RESOLVED, that the Town Supervisor is hereby authorized to execute the Intermunicipal Agreement for Snow Removal and Ice Control Services between the Town and the County for the period of one year commencing October 1, 2026 and ending on September 30, 2027.

This motion was offered by Town Board member Mayville and was seconded by Town Board member Cole. Roll Call.

SUPERVISOR KENNAN	Voted Aye
COUNCILWOMAN COLE	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 September 10, 2026.

Resolution appointing the Bank of Millbrook as Official Depository of the Town of North East
The Supervisor said that the Bank of Millbrook has been very helpful to the Town. And the Town has been interested in working with a local bank. Members of the Board have had opportunities to meet with the bank officials. Councilmember Winkler said that she felt their rates on loans and refinancing to be very good.

RESOLUTION #682026

**CHANGING THE OFFICIAL DEPOSITORY FOR THE
TOWN FROM NBT TO BANK OF MILLBROOK**

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WHEREAS, the Town Board at its organizational meeting for the year 2026 had designated NBT Bank as its official depository; and

WHEREAS, the Town Board has determined, based upon advice and input from its financial advisors, that the Town would be better served by changing the official depository from NBT Bank to Bank of Millbrook.

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby designates Bank of Millbrook as the official depository for the Town of North East for the remainder of 2026; and be it further

RESOLVED, that the Town Supervisor and its staff are hereby authorized to take the necessary steps to closeout and transfer all Town accounts presently at NBT Bank to Bank of Millbrook.

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

SUPERVISOR KENNAN	Voted	Aye
COUNCILWOMAN COLE	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 September 10, 2026.

Acceptance of resignation from Planning Board and announcing vacancy

Scott Culbreth has written a letter of resignation to take effect on the identification of a replacement to the Planning Board. The Town Clerk will post a vacancy statement looking for a candidate to fill out the remainder of a term expiring in 2029. Motion to accept the resignation was made by Councilmember Morrison and seconded by Councilmember Mayville. Votes taken.

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

Final approval of changes to Employee Handbook

On June 3rd, 2026 the Board approved changes to the Handbook. In order that the record corresponds to the printed dates in the manual, the Board needs to formally reprise the vote today. A motion to give final approval to the changes in the Employee handbook as previously approved was made by Councilmember Mayville and seconded by Councilmember Morrison. Votes taken.

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

Public Comment- none

Acceptance of Minutes from Meetings of August 5, August 13th, August 25th, and September 2, 2026

A motion was made to approve the minutes by Councilmember Winkler and Councilmember Mayville seconded. Votes taken.

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

The minutes were approved.

Meeting with Council

The Supervisor requested an Executive Session with Council for the purpose of discussing litigation that the Town is involved in and employment of a particular individual.

Motion to enter the executive session was made by Councilman Mayville and seconded by Councilmember Cole. Votes taken.

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

Executive session began at 7:55pm.

Motion to exit the executive session was made by Councilmember Mayville and seconded by Councilmember Winkler. Votes taken.

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

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NAYS- 0

The Town Board exited the executive session at 8:13pm.

Adjournment

Motion to adjourn was made by Councilmember Mayville and seconded by Councilmember Morrison. Votes taken.

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

NAYS- 0

The Board adjourned at 8:16 pm.

*For verbatim information please refer to recorded video on the Town website.
Respectfully submitted,*



Elizabeth Strauss, Town Clerk

DRAFT: 9/22/2026

APPROVED: 10/08/2026

See Exhibit A for Resolution #622026 attached

See Exhibit A and B for Resolution #662026 attached

Final Budgetary Construction Cost Estimate
Town of North East Town Hall
9/10/2026
LAN Job # 1690.03

Description	Unit	Quantity	Cost/Unit (\$)	Subtotal (\$)
Division 1 - General Requirements				
See end of Estimate				
Division 2 - Existing Conditions				
Disconnect & Remove Existing HVAC Systems	LS	1	\$25,000	\$25,000
Disconnect & Remove Existing Plumbing Systems	LS	1	\$15,000	\$15,000
Remove platform	LS	1	\$5,000	\$5,000
Remove Ceramic Tile	SF	400	\$8	\$3,200
Remove Flooring	SF	800	\$5	\$4,000
Remove ACT	SF	2,500	\$5	\$12,500
Remove Doors and Frames	EA	10	\$350	\$3,500
Remove Interior Glazing	SF	150	\$25	\$3,750
Remove wall partitions	LF	250	\$100	\$25,000
Total				\$96,950
Division 3 - Concrete				
Dash Patch Floors	SF	4,600	\$12	\$55,200
Total				\$55,200
Division 5 - Wood, Plastic, and Composites				
Rough Carpentry	LS	1	\$5,000	\$5,000
Wood Partitions - New Door	LS	2	\$3,500	\$7,000
Wood Partition - New set of windows	LS	1	\$6,000	\$6,000
Wood Partitions - Interior Walls	LF	380	\$65	\$24,700
New 1/2 walls	LF	42	\$35	\$1,470
Total				\$44,170
Division 7 - Thermal and Moisture Protection				
Insulation	LS	1	\$7,500	\$7,500
Fire Stopping	LS	1	\$7,500	\$7,500
Joint Sealants	LS	1	\$3,000	\$3,000
Total				\$18,000
Division 8 - Opening				
Wood Doors and Frames	EA	13	\$3,500	\$45,500
Wood pocket doors	EA	2	\$2,500	\$5,000
Door Hardware	EA	15	\$1,750	\$26,250
Glazing	LS	1	\$2,000	\$2,000
Exterior Door	EA	2	\$4,000	\$8,000
Two (2) Windows	EA	2	\$2,000	\$4,000
AD Systems Door	EA	2	\$6,000	\$12,000
Transaction Windows	EA	2	\$1,750	\$3,500
Total				\$106,250
Division 9 - Finishes				
Gypsum Board Walls	LF	450	\$65	\$29,250
Ceramic Tiling	SF	141	\$20	\$2,820
Acoustical Tile Ceilings	SF	1,206	\$18	\$21,708
VCT Flooring	SF	575	\$8	\$4,600
LVT Flooring	SF	2,338	\$20	\$46,760
Rubber Base	LF	2,200	\$6	\$13,200
Carpeting	SF	1,546	\$35	\$54,110
Painting	SF	12,000	\$4	\$48,000
Total				\$220,448
Division 10 - Specialties				
Signage	LS	1	\$25,000	\$25,000
Toilet, Bath, Accessories	EA	2	\$2,500	\$5,000
Fire Extinguishers	EA	4	\$250	\$1,000
Total				\$31,000

Division 11 - Equipment					
Refrigerator	EA	1	\$3,000		\$3,000
DW	EA	1	\$1,500		\$1,500
Microwave	EA	1	\$750		\$750
Total					\$5,250
Division 12 - Furnishings					
Casework	LS	1	\$5,000		\$5,000
Countertops	LS	1	\$4,000		\$4,000
Modular partitions	LF	128	\$138		\$17,664
Modular partitions shipping cost	ALLOW	1	\$4,000		\$4,000
Modular partitions installation	ALLOW	1	\$6,000		\$6,000
Total					\$36,664
Division 22 - Plumbing					
Bathrooms	EA	2	\$15,000		\$30,000
Janitors Closet	EA	1	\$5,000		\$5,000
Break Room Sink	EA	1	\$1,800		\$1,800
DW Hook Up	EA	1	\$750		\$750
Total					\$37,550
Division 23 - Heating Ventilating and Air Conditioning					
Thermostat	EA	4	\$750		\$3,000
3 Ton Ducted Packaged System	TON	2	\$16,000		\$32,000
Ducted Packaged System	TON	4	\$15,000		\$60,000
Ducted Packaged System	TON	4	\$15,000		\$60,000
Ductless Split-System (Cooling Only) (Rm 108 Server)	TON	1	\$4,000		\$4,000
EF [In-Line] (100 CFM @ \$15 per CFM)	LS	1	\$800		\$800
Ductwork (500 lbs @ \$30 per lbs)	ALLOW	1	\$22,000		\$22,000
External Duct & Insulation	SF	300	\$40		\$12,000
Cabinet Electric Unit Heater (Rm 106 Staff Bathroom)	KW	2	\$350		\$700
Electric Unit Heater (Rm 109 Mech/Utility)	KW	1	\$600		\$600
Testing & Balancing Air/Hydraulics	LS	1	\$12,500		\$12,500
Total					\$207,600
Division 26 - Electrical					
Demolition	ALLOW	1	\$20,000		\$20,000
Elec Connections to New HVAC Equip.	EA	16	\$2,500		\$40,000
Fire Alarm Modifications (assuming reuse of existing panel)	ALLOW	1	\$18,500		\$18,500
Receptacles & Modular Furniture Connections	ALLOW	1	\$30,000		\$30,000
Lighting & Switching Modifications	ALLOW	1	\$30,000		\$30,000
Lighting New	ALLOW	1	\$20,000		\$20,000
Mech Wiring	ALLOW	1	\$30,000		\$30,000
Data & Phone (by others)	LS	1	\$15,000		\$15,000
Total					\$203,500
Cost Subtotal					
		Bonds & Insurance	2%		\$1,062,582.00
		Contingency	10%		\$21,251.64
		Escalation	5%		\$106,258.20
		Subtotal			\$58,442.01
		General Conditions, Overhead & Profit	15%		\$1,248,533.85
		Construction Cost Subtotal			\$187,280.08
		Total Project Cost (Excludes Design Fees)			\$1,435,813.93
		A & E Design Fees			
		Schematic Design / Construction Drawings / Bidding			\$100,500.00
		Construction Observation			Hourly

NOTE:

LAN Associates, Engineering, Planning, Architecture, Surveying, LLP (LAN) has no control over the cost of labor, materials, equipment, or services furnished by others, over the contractor's methods of determining prices, or over competitive bidding or market conditions. LAN's opinions of probable total costs and construction costs provided herein are made on the basis of LAN's experience and qualifications and represent LAN's best judgment as an experienced and qualified professional architecture & engineering firm, familiar with the construction industry. LAN does not guarantee that the proposals, bids, or actual project or construction costs will not vary from the above estimated costs prepared by this office. Actual construction costs may vary substantially from this estimate for many reasons including, but not limited to the following:

1. The business climate at the time of bidding and construction.
2. Availability of construction workers with necessary skills at the time of construction.
3. Contractor's workers compensation rates and insurance requirements.
4. Contractor's assessment of cost of warranted work, and;
5. Contractor's perception of risk.

CPL ARCHITECTURE ENGINEERING PLANNING		NOTICE OF FINAL COMPLETION	
PROJECT		CPL #	
Town of North East New Highway Garage		CONTRACT #	
		CONTRACT DATE	
		April 11, 2022	
OWNER		CONTRACTOR	
Town of North East 19 N Maple Ave Millerton, NY 12546		Icon, BE, S&O, DJ HVAC	
DATE OF FINAL COMPLETION		December 13, 2024	
PORTION OF PROJECT DESIGNATED AS FINALLY COMPLETE:			
Entire building and Site Work			
THE WORK OF THIS CONTACT HAS BEEN FOUND, TO THE BEST OF CPL'S KNOWLEDGE, TO BE COMPLETE. IT IS SUFFICIENTLY COMPLETE, IN ACCORDANCE WITH CONTRACT DOCUMENTS, SO THAT THE PROJECT OR THE ABOVE, SPECIFIED PORTION OF THE PROJECT CAN BE UTILIZED FOR ITS INTENDED PURPOSE. THE DATE OF THIS NOTICE IS THE DATE OF FINAL COMPLETION, WHICH IS ALSO THE DATE OF THE START OF REQUIRED WARRANTIES AND THE GAURANTEE PERIOD.			
CPL			
ENGINEER		BY	
Mark Long, P.E.		20-May-25	
		DATE	
A PUNCH LIST OF ITEMS TO BE COMPLETED OR CORRECTED PRIOR TO FINAL COMPLETION IS AS FOLLOWS. THE CONTRACTOR RETAINS THE RESPONSIBILITY TO COMPLETE ALL WORK AND SERVICES REQUIRED BY THE CONTRACT EVEN IF THE REQUIRED WORK IS NOT SHOWN ON THE ATTACHED LIST.			
PUNCH LIST:			
Icon: Need credit for Town installation of door weather stripping, crack sealing on E wall and for start up and owner taining for lift			
BE need O&M manuals.			
THE ESTIMATED COST TO COMPLETE THE PUNCHLIST : Icon: \$15,000, Black Electrid: \$3,000			

Exhibit B

Addendum
EXHIBIT B
(for Resolution #662026)

PROJECT CLOSE-OUT AGREEMENT

This Close-Out Agreement (the "Agreement") is entered into this October 15, 2026 (the "Effective Date"), by and between Icon Const. Gr., Inc. ("Icon"), the Town of North East ("North East"), and Liberty Mutual Insurance Company ("Liberty"), party of the third part, each signatory hereto, a "Party" and, collectively, the "Parties."

RECITALS

WHEREAS, on or about April 6, 2022, North East and Icon entered into a contract (the "Contract") pursuant to which Icon agreed to serve as the general contractor for the public construction project known as the New Highway Department Garage Building, located at 6097 Route 22, Millerton, New York (the "Project"); and

WHEREAS, in connection with the Contract, Liberty, as surety, and Icon, as principal, furnished to North East a Performance Bond and a Payment Bond, each bearing Bond No. 015206049 with respect to the Project (collectively, the "Bonds"); and

WHEREAS, due to Icon's default in the terms of the Contract with the Town, the Town called the Performance Bond due; and

WHEREAS, pursuant to a certain Assignment of Contract Funds – Public Improvement, dated February 28, 2024, Icon assigned to Liberty all monies due or to become due to Icon from North East under the Contract; and

WHEREAS, the Parties acknowledge that the Project has been completed in accordance with the Contract as of December 13, 2024 except for certain work performed by the Town. (See, Notice of Final Completion annexed hereto as Exhibit "A"); and

WHEREAS, any maintenance and guarantee obligations of Icon under Section 8.7 of the Contract have expired; and

WHEREAS, there are payments in the amount of \$94,984.04 still due under the Contract, and the Parties wish to resolve, to the extent set forth in this Agreement, all remaining issues and disputes relating to the Contract;

NOW THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, the Parties agree as follows:

1. The recitals set forth above are incorporated herein.
2. The Contract is accepted by North East as complete in all respects. Any warranty period relating to the work performed under the Contract has expired.
3. The Town shall retain the sum of \$20,000 from the amount still due in consideration of the contract work completed by the Town.
4. The amount still payable under the Contract (the "Contract Balance") is \$74,984.04, inclusive of all change orders, claims, deductions or credits of any type or kind.
5. North East hereby releases, waives, relinquishes, and forever discharges and gives up any and all claims and rights which North East now has, might have, or could hereafter have against Icon or Liberty, of any type or kind, known or unknown, which in any way relate to or arise out of the Bonds, the Project, and the Contract.

6. The Contract Balance shall be paid to Liberty within 30 days of execution of this Agreement by all parties. Subject only to Liberty's collection of payment in the amount of the Contract Balance, Liberty and Icon each release, waive, relinquish, and forever discharge and give up any and all claims and rights which Liberty and/or Icon now have, may have, or could hereafter have

against North East, of any type or kind, known or unknown, which in any way relate to or arise out of the Bonds, the Project, and the Contract.

7. Each Party reserves all rights it may have as to anyone not a Party to this Agreement. Liberty and Icon expressly reserve their respective rights vis-à-vis one another.

8. Any notices that are required to be given by the terms of this Agreement or the Bonds shall be made as follows:

As to North East:

Warren S. Replansky, Esq.
Warren S. Replansky, P.C.
Attorney to the Town of North East
PO Box 838, 60 East Market Street
Rhinebeck, NY 12572
Email: warren@wreplanskylaw.com

As to Icon:

Keith Ackerson
Icon Const. Gr., Inc.
1 New King Street, Suite 108
White Plains, NY 10604
Email: kackerson@iconcginc.com

As to Liberty:
Jonathan Bondy, Esq.
Chiesa Shahnian & Giantomasi PC
105 Eisenhower Parkway
Roseland, NJ 07068
Email: jbondy@csglaw.com

9. This Agreement shall be governed by and construed in accordance with the laws of the State of New York.

10. Any disputes arising out of this Agreement shall be resolved exclusively in a court of competent jurisdiction located within the State of New York and will be interpreted in accordance with the laws of the State of New York. All Parties consent to the jurisdiction of such court for the purposes of adjudicating any disputes arising out of this Agreement. The Parties agree to waive all alternative dispute resolution or claim procedures required under the Contract, and any provision in the Contract contrary to this provision is stricken.

11. This Agreement may be amended only by a writing signed by all Parties hereto. Any such amendment may be executed by the Parties in the same manner as this Agreement.

IN WITNESS WHEREOF, the Parties have executed this Agreement and each undersigned signatory represents and warrants that such signatory has the full right, power and authority to execute this Agreement on behalf of the respective Parties.

TOWN OF NORTH EAST

ICON CONST. GR., INC.

By: _____
Name: _____
Title: _____

By: _____
Name: _____
Title: _____

LIBERTY MUTUAL INSURANCE COMPANY

By: _____
Name: _____
Title: _____