

**TOWN OF NORTH EAST  
TOWN BOARD  
May 11, 2017**

**Members Present:**

Supervisor George Kaye  
Councilman John Midwood  
Councilman James Campbell  
Councilman John Merwin

**Members Absent:**

Councilman Steven Merwin

**Call to Order:**

Supervisor Kaye called the meeting to order at 7:00 P.M. with the Pledge of Allegiance.

**Acceptance of Agenda:**

On a motion by Councilman James Campbell, seconded by Councilman John Merwin the following was:

ADOPTED – AYES – 4 (Kaye, Campbell, J. Merwin, Midwood)  
NAYS – 0

RESOLVED, to accept the agenda as amended

**Public Comment on Agenda Items:**

There were no public comments

**Department and Committee Reports**

**HIGHWAY** – Superintendent Stevens stated that his department has some equipment that is no longer needed. Mr. Stevens provided a list of the equipment. He would like for the Board to deem the equipment surplus so he can advertise it for sale on Auctions International.

On a motion made by Councilman Midwood, seconded by Councilman John Merwin it was

ADOPTED – AYES – 4 (Kaye, Campbell, J. Merwin, Midwood)  
NAYS – 0

RESOLVED, to allow Superintendent Stevens to sell surplus highway equipment

Superintendent Stevens updated the Board on the Lower Mill Road project. He stated that NYSDEC is currently reviewing the plans. The County was contacted with the matter of a possible time extension should one be needed. The County would be willing to work with the Town need be.

**ASSESSOR** – Assessor Johnson was present and presented a finalized tentative roll report to the Board. She stated that there was a significant decrease in STAR exemptions, due to the new program instituted by the State where new owners and applicants apply directly to Department of Taxation and Finance not through her office. New applicants receive a rebate check.

The tentative roll has been published and available for public review in the Assessor's office, Town Clerk's office and on the County website.

Assessor Johnson stated that she will be having extended hours on Tuesday evening and Saturday the hours of which have been published.

Grievance Day is the 4<sup>th</sup> Wednesday of this month and forms are available in the assessor's office.

**POLICE** – Officer Rudin stated that for the month of April there were 30 incidents in Village and 21 in the Town. There were 10 arrests, 6 in the Town and 4 in the Village.

May 20, 2017 is “Shed the Meds” event from 10 A.M. to 12:00 P.M. and June 10, 2017 is the Spring for Sound event.

Officer Rudin informed the Board that there were no arrests at last year’s event. He will have every available officer there utilizing some County stop DWI funding for this purpose. The officers will patrol for DWI’s after the event.

**TOWN CLERK-** A written report was available to the Board

Town Clerk Cope informed the Board that she has received a quote to have the Town Hall carpets cleaned. She received a quote of \$430.72 and asked for approval from the Board.

On a motion made by Councilman J. Merwin, seconded by Councilman Campbell it was

ADOPTED – AYES – 4 (Kaye, Campbell, J. Merwin, J. Midwood)  
NAYS – 0

RESOLVED, to have Town Hall carpets cleaned

**PLANNING & ZONING** – A written report was available to the Board.

**BUILDING** – A written report was available to the Board.

**2017 Dutchess County Office for the Aging Senior Picnic on Wednesday, June 14, 2017**

Supervisor Kaye announced that 2017 Senior Picnic would be held at the Pine Plains Lion’s Club Pavilion and begins at noon. This is an annual event.

**Memorial Day Proclamation**

Town Clerk Cope read the Proclamation in to the record.

On a motion made by Councilman J. Merwin, seconded by Councilman Midwood it was

ADOPTED – AYES – 4 (Kaye, Campbell, J. Merwin, J. Midwood)  
NAYS – 0

RESOLVED, that Supervisor Kaye be allowed to sign Memorial Day Proclamation

**Renewal of Junk Yard and Scenic View Trailer Park Permits**

On a motion made by Councilman Campbell, seconded by Councilman Midwood it was

ADOPTED – AYES – 4 (Kaye, Campbell, J. Merwin, J. Midwood)  
NAYS – 0

RESOLVED, to approve the renewal permits for Scenic View Mobile Home Park and Thomsen and Graham Metal Works for a Junkyard permit

**Steve Waite Explaining a Program to be Presented by Ken Walsh, CEO Alford Youth Center of Waterville, ME, Outlining the Success Experienced by Them in Economic Developmental Centering around Recreation**

Mr. Waite informed the Board that he is on the Eddie Collins Revitalization Committee. This committee applied for and received a \$5,000.00 grant so an overall evaluation of the park space and how it’s being utilized can be conducted.

Mr. Waite stated that the Village will be matching the grant amount.

One of the goals of this committee is to educate the public on the benefits of recreation, not just the physical but the economic benefits.

Mr. Waite gave a brief description of a presentation that Ken Walsh will be giving on June 14, 2017 at the North East-Millerton Library Annex on the economic side of recreation and how to achieve certain goals.

**May 14-20 is National Police Week with the Dutchess County Sheriff's Office Holding a Remembrance Ceremony on May 25 at 9:30 A.M.**

Supervisor Kaye informed the Board that it was National Police Week May 14<sup>th</sup>-20<sup>th</sup> and that Dutchess County Sheriff's Office would be holding a Remembrance Ceremony May 25, 2-17 at 9:30 A.M. at the Sheriff's Office.

**Meeting with Counsel  
General Legal Matters**

Town Attorney Warren Replansky, informed the Board that he has been in discussion with Town Clerk Cope about authorizing the Town Clerk and other officials to accept credit card payments.

Mr. Replansky stated that it can be done and the Town Board has to authorize it by either local law or resolution. He has prepared a resolution.

Mr. Replansky advised that accepting accept credit card payments for taxes has some issues that the Town be aware of such as: many taxpayers do not want to pay a 2.8% surcharge; the Town needs to have certainty when the taxes are paid that the payment is actually made and when paying by credit card there can be a charge back which becomes a problem, a charge back being when there's an issue with the credit card, the charge back comes to the Town.

Mr. Replansky advised that the Town needs to follow procurement policy.

On a motion made by Councilman J. Merwin, seconded by Councilman Midwood it was

ADOPTED BY ROLL CALL

Supervisor Kaye - AYE  
Councilman Campbell - AYE  
Councilman J. Merwin - AYE  
Councilman Midwood - AYE

RESOLVED, to pass resolution subject to modifications as made by Warren Replansky.

With regard to video conferencing, Supervisor Kaye explained that the Planning Board has tried to video conferencing during meetings and it did not work very well due to various reasons.

Supervisor Kaye stated that there needs to be a foundation of rules and procedures on how to do video conferencing. He would like to put a 90 day moratorium for all the Boards as this issue is looked into further.

Mr. Replansky stated that it's much more complicated that it seems. He explained that in his research he found that the intent of video conferencing law was put into open meetings laws more for larger governing bodies.

Mr. Replansky explained that the requirements are fairly onerous. If someone is video conferencing in the location of where they are must comply with open meetings laws.

Mr. Replansky further explained that video conferencing is not designed to be used if a member is simply on vacation.

On a motion made by Councilman J. Merwin, seconded by Councilman Campbell it was:

ADOPTED – AYES – 4 (Kaye, Campbell, J. Merwin, J. Midwood)  
NAYS – 0

RESOLVED, that all Boards of the Town are not to undertake any video conferencing and that the Town will not pay for any of the costs associated with video conferencing for a period of 90 days until a set of rules and regulations are in place.

### **Executive Session**

On a motion made by Councilman J. Merwin, seconded by Councilman Campbell it was

ADOPTED BY ROLL CALL

Supervisor Kaye - AYE  
Councilman Campbell - AYE  
Councilman J. Merwin - AYE  
Councilman Midwood - AYE

RESOLVED, to go into Executive Session for the purpose of discussing personnel matter at 7:42 PM.

On a motion made by Councilman Midwood, seconded by Councilman Campbell it was:

ADOPTED BY ROLL CALL

Supervisor Kaye - AYE  
Councilman Campbell - AYE  
Councilman J. Merwin - AYE  
Councilman Midwood - AYE

RESOLVED, to return to regular session at 8:10 PM.

### **Supervisor's Report**

Supervisor Kaye informed the Board that a letter concerning Rudd Pond was sent to the Taconic Regional Director voicing the Town's concerns about weed harvesting and to ensure that the funds allotted for upkeep and maintenance of the pond are not discontinued.

Town Clerk Cope read the letter into the record.

### **Monthly Bills/Abstracts**

Supervisor Kaye presented Special Abstract dated April 25, 2017 totaling \$473.09 broken down as follows:

A Fund - \$261.57  
P/R T&A - \$211.52  
Total -\$473.09

On a motion made by Councilman J. Merwin, seconded by Councilman Midwood the following was

ADOPTED – AYES – 4 (Kaye, J. Merwin, Midwood, Campbell)  
NAY – 0

RESOLVED, to accept Special Abstract dated April 25, 2017.

Town of North East  
Town Board  
Minutes  
May 11, 2017

Supervisor Kaye presented Abstract dated May 11, 2017 totaling \$79,844.32 broken down as follows:

A Fund - \$37,272.87  
B Fund - \$907.32  
DB Fund - \$12,786.63

Water Dist. SW1 - \$27,845.00  
T&A2 Escrow - \$1,032.50  
Total -\$79,844.32

On a motion made by Councilman Campbell seconded by Councilman J. Merwin the following was

ADOPTED – AYES – 4 (Kay, J. Merwin, Midwood, Campbell)  
NAY – 0

RESOLVED, to accept Abstract dated May 11, 2017.

### **Budget Adjustment**

Supervisor Kaye presented Budget Adjustment.

A fund total account balance increase of \$14,529.00 less expense decrease of \$14,529.00.  
DB Fund account balance expense increase of \$203,303.00 less revenue increase of \$203,303.00.

On a motion made by Councilman J. Merwin, seconded by Councilman Midwood the following was

ADOPTED – AYES – 4 (Kay, J. Merwin, Midwood, Campbell)  
NAY – 0

RESOLVED, to accept budget adjustment.

### **Voucher Committee**

Committee for the month of June 2017 will be Councilman S. Merwin and Councilman Campbell.

### **Approval of Minutes**

On a motion made by Councilman J. Midwood, seconded by Councilman Campbell the following was

ADOPTED – AYES – 4 (Kay, J. Merwin, Midwood, Campbell)  
NAY – 0

RESOLVED, to accept the minutes of April 13, 2017.

On a motion made by Councilman J. Merwin, seconded by Councilman Campbell the following was

ADOPTED – AYES – 4 (Kay, J. Merwin, Midwood, Campbell)  
NAY – 0

RESOLVED, to accept the minutes of April 20, 2017.

### **General Comment Period**

Jo Culver was present and voiced her concerns regarding the potential purchase of property on Sharon Road for the purpose of constructing a Town Highway Garage.

Ms. Culver asked how a zoned residential and agricultural area could house an industrial project.

Supervisor Kaye explained that the use would not be contrary to the zoning.

Scott Culbreth was present and voiced his concerns regarding the potential purchase of property on Sharon Road for the purpose of constructing a Town Highway Garage. Mr. Culbreth encouraged the Town to not move the highway garage to an area that is primarily agricultural and “ruin” the beauty of the area.

Steve Leven was present and voiced his concerns regarding the potential purchase of property on Sharon Road for the purpose of constructing a Town Highway Garage.

Bill Kish was present and voiced his concerns regarding the potential purchase of property on Sharon Road for the purpose of constructing a Town Garage.

Supervisor Kaye explained that, as he stated at a past Town Board meeting, that the Town Board will not comment on any properties that the Town is considering. There will be an appropriate time when the Board will disclose what is being looked at.

Mr. Culbreth asked the Board what the criteria is that the Town is going by when looking at a potential site.

Supervisor Kaye stated that there is a chart that is being used and some of the criteria is as follows: topography, access to main roads, access to three phase electric, price, central location and some others.

Tyler Duncan was present and voiced his concerns and opposition regarding the potential purchase of property on Sharon Road for the purpose of constructing a Town Garage. Mr. Duncan felt that it could negatively affect the neighborhood.

On a motion made by Councilman Midwood, seconded by Councilman Campbell it was

ADOPTED – AYES – 4 (Kay, J. Merwin, Midwood, Campbell)  
NAY – 0

RESOLVED, to adjourn at 8:30 PM.

Respectfully Submitted,

Lisa Cope  
Town Clerk

**Approved: June 8, 2017**